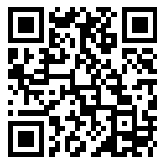
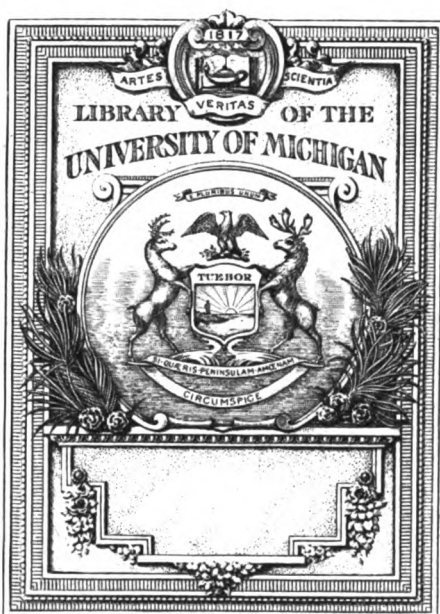

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JOURNAL

OF THE

SENATE

OF THE

THIRTEENTH GENERAL ASSEMBLY

OF THE

State of Illinois,

AT THEIR REGULAR SESSION, BEGUN AND HELD AT SPRINGFIELD,

DECEMBER 5, 1842.

SPRINGFIELD:

WILLIAM WALTERS, PUBLIC PRINTER.

1842.

From the counties of Will, Du Page and Iroquois—JOEL A. MATTESON.

From the counties of Greene and Jersey—ALFRED W. CAVARLY.

From the counties of Kane, McHenry, Boone and DeKalb—IRA MINARD.

From the county of La Salle—MICHAEL RYAN.

From the counties of Peoria, Stark and Bureau—W. W. THOMPSON.

From the counties of Rock Island, Henry, Whiteside and Lee—JOHN BUFORD.

From the counties of Schuyler and Brown—JACOB VANDEVENTER.

From the county of Hancock—J. C. DAVIS.

From the counties of Knox and Mercer—WILLIAM MCMURTRY.

From the county of St. Clair—SETH CATLIN.

From the counties of Menard, Logan and Mason—LEWIS B. WYNNE.

From the county of Pike—THOMAS WORTHINGTON.

From the counties of Cass and Scott—JAMES GILLHAM.

From the county of Madison—GEORGE SMITH.

From the counties of Greene and Calhoun—REVL W. ENGLISH.

From the counties of Bond, Christian and Montgomery—BENJAMIN JOHNSON.

From the counties of Coles and Clark—NATHANIEL PARKER.

From the county of Edgar—NELSON W. NUNNALLY.

From the counties of McLean, DeWitt and Macon—ROBERT F. BARNETT.

From the counties of Vermilion and Champaign—WILLIAM FITHIAN.

From the counties of Union and Alexander—JOHN DOUGHERTY.

From the county of Gallatin—GEORGE LEVISTON.

From the counties of Hamilton, Jefferson and Marion—R. A. D. WILLBANKS.

From the counties of Perry, Clinton and Washington—JOHN CRAIN.

From the county of Sangamon—REUBEN HARRISON.

On motion of Mr. Ralston,

Ordered, That the Senate do now proceed to the election of a Secretary.

Mr. Pearson nominated ISAAC S. BERRY;

And thereupon,

The Senate proceed to vote for Secretary as follows, viz:

Those who voted for Isaac S. Berry, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davis, Dougherty, English, Evans, Feaman, Fithian, Gillham, Harris, Harrison of Sangamon, Henry, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Willbanks, Worthington, and Wynne—41.

Mr. Baker voted for Merritt L. Covell.

And thereupon,

Isaac S. Berry, having received a majority of the votes given, was declared duly elected Secretary of the Senate of the thirteenth General Assembly of the State of Illinois.

On motion of Mr. Vandeventer,

Ordered, That the Senate do now proceed to the election of a Sergeant-at-Arms.

The Senate, thereupon, proceeded to the election of a Sergeant-at-Arms, as follows, viz:

Those who voted for Iram Nye, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, English, Evans, Feaman, Gillham, Harris, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—32.

Those who voted for Mr. Reed, are

Messrs. Baker, Cullom, Fithian, Harrison of Sangamon, and Henry—5.

Those who voted for Mr. Lee, are

Messrs. Johnson, Smith, and Worthington—3.

Mr. Killpatrick voted for Mr. Wickersham.

And thereupon,

Iram Nye, having received a majority of the votes given, was declared duly elected Sergeant-at-Arms to the Senate of the thirteenth General Assembly of the State of Illinois.

On motion of Mr. Harris,

The Senate then proceeded to the election of an Enrolling and Engrossing Clerk; which resulted as follows, to-wit:

Those who voted for Wm. D. Latshaw, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, English, Evans, Feaman, Gillham, Harris, Henry, Hoard, Houston, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Willbanks, Worthington, and Wynne—36.

Those who voted for John B. Weber, are,

Messrs. Baker, Harrison of Sangamon, and Johnson—3.

Mr. Cullom voted for Downing Baugh.

Mr. Fithian voted for M. M. Mobley.

Whereupon,

W. D. Latshaw, having received a majority of the votes given, was declared duly elected Enrolling and Engrossing Clerk to the Senate of the thirteenth General Assembly of the State of Illinois.

On motion of Mr. Ralston,

Resolved, That the reporters for the State Register and Sangamo Journal be admitted to seats on the floor of the Senate.

On motion of Mr. Pearson,

Resolved, That the Secretary inform the House of Representatives that they have met and organized; have elected Isaac S. Berry their Secretary, Iram Nye their Sergeant-at-Arms, W. D. Latshaw their Enrolling and Engrossing Clerk, and are now ready to proceed to legislative business.

On motion of Mr. Ralston,

Resolved, That the rules of the last Senate be adopted for the government of the present Senate.

On motion of Mr. Pearson,

The resolution last offered by him and adopted, was re-considered, and

On the further motion of Mr. Pearson,

Said resolution was amended by adding after the words "have elected," the following, to-wit: "Braxton Parrish, Speaker, pro tempore."

The question was then taken on the passage of said resolution, as amended, and agreed to.

On motion of Mr. Warren,
The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Leviston,

Resolved, That the Secretary be authorized to call to his aid some competent person to assist him in the discharge of his duties.

On motion of Mr. Pearson,

Resolved by the Senate and House of Representatives, That both Houses of the General Assembly will meet in the Hall of the House of Representatives on Tuesday, the 6th inst., at 2 o'clock, P. M., and there canvass the returns for Governor and Lieutenant Governor of the State of Illinois.

Ordered, That the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Mr. Ralston,

Resolved by the Senate, the House of Representatives concurring herein, That a joint select committee, consisting of two on the part of the Senate, and three on the part of the House of Representatives, be appointed to wait on his Excellency the Governor, and inform him that the two Houses of the General Assembly have met and organized, and are now ready to receive such communication as his Excellency may have to make.

Ordered, That Messrs. Ralston and Leviston be the committee on the part of the Senate, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

SPOONER RUGGLES presented his certificate of election as Senator in the present General Assembly from the counties of Winnebago and Ogle, was qualified, and took his seat.

Mr. Slocumb offered for adoption the following resolution, viz:

Resolved, That a select committee of five members be appointed to examine the credentials of all members of the Senate elected since the passage of the last law apportioning the Senators and Representatives of this State; and that said committee be instructed to report, at as early a day as convenient, the names of all Senators legally elected since the passage of said law, and now entitled to seats on this floor.

Mr. Pearson moved a call of the Senate, which was agreed to.

And after some time spent therein, the further call was,

On motion of Mr. Ralston,

Dispensed with, and the question was then taken on the passage of the resolution, and agreed to.

Ordered, That Messrs. Slocumb, Ralston, Warren, Stapp and Feaman, be that committee.

Mr. Ralston gave notice that, on Wednesday next, or some day thereafter, he should ask leave to introduce a bill for "An act to repeal all laws

authorizing the receipt of the notes of the State Bank of Illinois, and the Bank of Illinois, in payment of taxes and other public dues, and in payment of college, school and seminary fund."

On motion of Mr. Nunnally,

The Senate adjourned.

TUESDAY, DECEMBER 6, 1842.

The Senate met pursuant to adjournment.

GEORGE W. WATERS, Senator elect from the counties of Pope, Hardin and Johnston, appeared, presented his certificate of election, was qualified, and took his seat.

In pursuance of a resolution of the Senate, adopted on yesterday, Henry W. Moore was appointed Assistant Secretary of the Senate.

On motion of Mr. Harris,

Mr. Stapp was excused from serving upon the select committee, appointed on yesterday to examine the credentials of all members of the Senate, elected since the passage of the last act of the General Assembly, apportioning the Senators and Representatives of this State.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have organized by electing Samuel Hackelton Speaker, W. L. D. Ewing Principal Clerk, W. J. Taylor Assistant Clerk, William C. Murphy Principal Door-keeper, Thomas Evans Assistant Door-keeper, and Robert Smith Engrossing and Enrolling Clerk, and are now ready to proceed to business. And then he withdrew.

The Chair appointed Mr. Harris to be a member of the above named committee, who was,

On motion of Mr. Vandeventer,

Excused from serving upon the same, and Mr. Nunnally appointed in lieu of Mr. Harris.

Mr. Pearson offered the following resolution, which was adopted:

Resolved by the Senate and House of Representatives, That when the Governor and Lieutenant Governor elect meet the two Houses in the Hall of Representatives, for the purpose of taking the oaths of office required by the constitution, that the Honorable Judge of the District Court of the United States, the Honorable the Judges of the Court Supreme of this State, and the Honorable Ex-Governor and Lieutenant Governor be invited to seats within the bar of the Representatives' Hall, and that the Honorable Sidney Breese, one of the associate Justices of the Supreme Court of this State, be requested to administer the oaths of office to the officers elect respectively.

Ordered, That the resolution be sent to the House of Representatives for concurrence.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform

the Senate, that they have concurred with their resolution appointing a committee to wait on the Governor and inform him that the two Houses of the General Assembly have organized and are now ready to receive any communication he may think proper to make; and have appointed

Messrs. Murphy, Cloud, and Marshall, the committee on their part. They have also concurred in the Senate's resolution, fixing on 2 o'clock of this day, to canvass the returns for Governor and Lieutenant Governor. And then he withdrew.

Mr. Baker offered the following preamble and resolution:

Whereas, it is necessary and proper to commence a system of retrenchment of the expenditures of the State, especially Legislative expenses;

Therefore,

Resolved, That the Senate will not employ an Assistant Sergeant-at-Arms, during the present session.

Mr. Pearson moved to lay the preamble and resolution on the table, which was lost.

The preamble and resolution were then adopted.

Mr. Ralston, from the joint select committee appointed to wait upon his Excellency the Governor, and inform him of the organization of the General Assembly, and of their readiness to receive any communication his Excellency might have to make, made a report that the committee had performed that duty, and received for answer from his Excellency the Governor, that he would, at the hour of 10 o'clock, A. M., on to-morrow, make a communication in writing to the General Assembly; which report, was,

On motion of Mr. Ralston,

Laid on the table.

On motion of Mr. Stapp,

Resolved, That a select committee of three be appointed to establish the number of standing committees for the Senate, and report thereon, and that said committee collect and report the rules for the government of the last Senate, with such amendments as may be deemed necessary.

The chair appointed

Messrs. Stapp, Dougherty, and Pearson, to be said committee.

On motion of Mr. Ralston,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Ralston,

The Senate took a recess of ten minutes.

The following message was received from the House of Representatives, by Mr. Ewing, their Clerk, viz:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the Senate in their resolution, inviting the Judge of the United States District Court for Illinois, and the Judges of the Supreme Court, together with the Ex-Governor and Ex-Lieutenant Governor, to seats on the floor of the Hall of the House of Representatives at the inauguration of the Governor elect. They have also concurred in that branch of said resolution requesting the Hon.

Sidney Breese to administer the oaths of office to the said Governor and Lieutenant Governor elect.

The following message was received from the House of Representatives, by Mr. Ewing, their Clerk, to wit:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they are now ready to receive the Senate in the Hall of the House, in pursuance of a joint resolution of this day, to canvass the returns of votes given at the late election for Governor and Lieutenant Governor.

Whereupon,

The Honorable the Senate, preceded by Mr. Speaker, repaired to the Representatives' Hall, and proceeded to canvass the votes given for Governor and Lieutenant Governor of this State, (in conjunction with the House of Representatives;) when it appeared upon the counting of the votes, from the returns of the different counties in this State, that Thomas Ford had 46,901 votes for Governor, Joseph Duncan had 38,585 votes for Governor, and Charles W. Hunter had 909 votes for Governor, John Moore had 45,567 votes for Lieutenant Governor, William H. Henderson had 38,426 votes for Lieutenant Governor, and Frederick Collins had 905 votes for Lieutenant Governor, and

Thereupon,

The Honorable Speaker of the House of Representatives announced, in the presence of both Houses of the General Assembly, the several aggregate number of votes, and that Thomas Ford was duly elected Governor, and John Moore Lieutenant Governor, of the State of Illinois for the ensuing four years, and

The Honorable the Senate repaired to their chamber, and

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 7, 1842.

Senate met pursuant to adjournment.

On motion of Mr. Cavarly,

Resolved by the Senate, the House of Representatives concurring herein, That a joint committee of two on the part of the Senate, and three on the part of the House, be appointed to wait on the Hon. Thomas Ford, and inform him of his election to the office of Governor of this State, and that they also inform Col. John Moore of his election to the office of Lieutenant Governor of this State, and inquire of them at what time they will meet the two Houses for the purpose of taking their oaths of office.

Ordered, That Messrs. Cavarly and Baker be that committee, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Smith gave notice that, on Monday next, or some day thereafter, he should ask leave to introduce a bill to amend "An act concerning public roads," approved February 20th, 1841.

On motion of Mr. Leviston,

Resolved, That the Secretary of State and Attorney General be requested to inform the Senate if they have made a revision of the laws agreeably to the law of the last session, and if not, the causes of the same.

Mr. Cullom offered for adoption the following resolution, to wit:

Resolved by the Senate, That the Governor and Secretary of State, be required to furnish the Senate with the entire amount of indebtedness, and all liabilities of the State of Illinois at as early a day as practicable, and,

On motion of Mr. Cullom,

Said resolution was laid on the table.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That a joint select committee of seven on the part of the House, and four on the part of the Senate, be appointed to draft and report rules for the government of the two Houses; and have appointed Messrs. Cloud, Murphy, Browning, Busey, Dollins, Hicks and Howard, the committee on their part.

Resolved, That the rules for the government of the two Houses of the last session, be the joint rules for the government of the two Houses until others are reported.

In which they ask the concurrence of the Senate.

On motion of Mr. Ralston,

The message last received from the House of Representatives was taken up, and the resolutions contained therein were concurred in by the Senate.

Ordered, That Messrs. Ralston, Fithian, Slocumb and Stapp, be the committee on the Senate's part.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Baker presented the petition of the Independent Order of Odd Fellows of the city of Springfield; which was read.

Mr. Baker moved that the prayer of the petitioners be complied with; which was not agreed to.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a printed communication. And he withdrew.

Whereupon,

Mr. Speaker laid before the Senate the following communication, viz:

Fellow citizens of the Senate and

House of Representatives:

It is with pleasure that I again address the assembled representatives of the people. The meeting of the General Assembly of the State is an event eminently calculated to awaken interest and solicitude in the public mind. The trusts confided to this department of the government are truly multiplied and important. Upon it devolves the duty of anticipating the wants, directing the energies, and promoting the welfare of the country. In a State, therefore, embracing so numerous a population, such a variety of interests, and so extensive a territory, the business of legislation must be arduous and complicated. But coming as you do, directly from the mass of your constituency, in every portion of the State, it must be presumed that you embrace within your number, all the information and knowledge which is necessary for a clear and com-

prehensive understanding of the responsibilities which your stations enjoin. I must be permitted to express the anticipation I confidently entertain, that as you understand those responsibilities you will not hesitate to discharge them with promptitude and fidelity. It cannot, indeed, be concealed that you have convened under circumstances in themselves formidable and imposing. The unfortunate financial embarrassments of the State present obstacles to the progress of legislation which it will require your united wisdom and patriotism to surmount. To relieve yourselves as far as possible from the difficulties you will have to encounter from this cause, will of course be your first and most important consideration. In order, however, that you may fully comprehend the nature and extent of these difficulties, it will be necessary to recur to that period in our history when they commenced.

The rapidity with which the banking institutions of the country were multiplied a few years since, and the lavish and reckless manner in which they issued their paper, increased the circulating medium and standard of value to such an extent as to give an artificial and fictitious value to every species of property, to augment the profits in every department of business to an unnatural degree, and to revolutionize the regular and settled laws which previously governed the trade of the country. Consequently the wildest and most extravagant spirit of speculation was engendered throughout the entire Union.

New and extraordinary schemes were embarked in, and the success with which they were frequently crowned, only served to encourage others still more visionary and chimerical. Fortunate, indeed, would it have been if this spirit had confined itself to the people in their individual capacity. Such, however, was not the case; it soon infused itself into Legislative assemblies, and many of the States were induced to adopt the most stupendous systems of improvement. Influenced by the same spirit, stimulated by a laudable ambition of keeping pace with her sister States, and encouraged by the apparent success which attended the enterprises they had already commenced, Illinois was in an evil hour lured from the principles of economy and prudence which had hitherto so signally marked her course. In 1837, in addition to the construction of the Illinois and Michigan Canal, which had already been undertaken, and which of itself, for an inexperienced and almost infant State, was a gigantic enterprize, the Legislature adopted a general system of internal improvements, the magnitude of which exceeded the wants in as great a degree as its estimated cost exceeded the resources of the State. To realize the funds necessary for the prosecution of this immense system, as well as the canal, reliance was had mainly to the credit of the State, which was made available by the creation and sale of bonds bearing six per cent. interest, and reimbursable after a long term of years. Such was the delusion of the times that it was proposed to pay the interest as it would accrue upon these bonds by negotiating them in foreign markets, and realizing the difference of exchange, by depositing the money thus raised with banks until it should be disbursed, and receiving premiums upon it; and by subscribing for bank stock, the dividends upon which it was expected would greatly exceed the interest upon the bonds with which the stock was purchased.

Thus it was contemplated by the advocates of this policy to complete these extensive improvements without any expense to the State during their progress. When once in operation, it was maintained that they would yield a revenue not only sufficient for the payment of the interest upon the cost of their construction, but would furnish a surplus which might ultimately be applied to the liquidation of the principal.

The people seeing no prospect of taxation, acquiesced in the use thus made of their credit.

This policy, therefore, persisted in until towards the close of 1839, when the vast amount of bonds which were so lavishly thrown into the markets, not only by this State, but many others, reduced their price and checked their further negotiation.

Thus terminated our unfortunate and short-lived scheme of improvements, leaving the State with less than thirty miles of a single railroad completed, out of the multitude that had been projected, with an immense debt overwhelming her, and without any permanent means whatever provided to meet the interest that was so rapidly accruing upon it. By using the proceeds realized from a few unsettled negotiations, and by sums raised by the hypothecation of bonds at reduced prices, the Fund Commissioner was enabled to pay the interest until January, 1841. It then became the duty of the Legislature to provide more permanent means for that purpose for the future.

Such, however, was the exhausted condition of the State, that it was deemed advisable to resort to the desperate expedient of authorizing the sale of bonds at whatever price they would command, in order to raise funds to meet the interest which would accrue in the ensuing two years.

This provision it was supposed would be amply sufficient to enable the State to meet her obligations, and preserve her plighted faith up to the present time. Experience, however, has demonstrated the insufficiency of this policy.

Our bonds had depreciated so greatly in the market, that the Fund Commissioner deemed a sale inexpedient, and raised money to meet the interest which became due in July, 1841, by hypothecation, at a very reduced rate. The still greater depreciation which subsequently occurred, rendered the further use of bonds totally unavailing. It, therefore, becomes my unpleasant duty to advise you that no interest has been paid since the date last mentioned.

Such is a brief account of the origin and accumulation of our public debt.

In order that you may, as clearly as possible, comprehend the financial condition of the State at the present time, the following tabular statement is submitted:

| | | | | |
|---|--|--|--|--------------|
| Bonds sold to the State Bank of Illinois, on account of Bank stock, - - - | | | | \$1,765,000 |
| Bonds sold to Bank of Illinois, do - - - | | | | 9,000,000 |
| | | | | <hr/> |
| | | | | 2,665,000 00 |
| " sold to Irwin & Beers on account of internal improvement, - - - | | | | 1,000,000 |
| " " " N. Biddle, - - - | | | | 1,000,000 |

| | | | | |
|--|---|----|------------|---------------------|
| Bonds sold to Lieut. Levy, | - | - | \$4,000 | |
| " " " January & Dunlap, | - | - | 300,000 | |
| " " " Hall & Hudson, | - | - | 100,000 | |
| " " " Boorman & Johnson, | - | - | 100,000 | |
| " " " M. B. Sherwood, | - | - | 50,000 | |
| " " " John Delafield, | - | - | 283,000 | |
| " " " A. H. Bangs, | - | - | 50,000 | |
| " " " Erie County Bank, | - | - | 100,000 | |
| " " " Bank of Commerce, | - | - | 100,000 | |
| " " " Commercial Bank of Buffalo, | - | - | 100,000 | |
| " " " Nevins & Townsend, by Dr. Barret, | - | - | 180,000 | |
| " " " E. Riggs, | - | do | 50,000 | |
| " " " Bank of United States | - | do | 100,000 | |
| " " " M. Sherwood, | - | do | 100,000 | |
| " hypothecated to State Bank of Ill. | - | do | 100,000 | |
| " sold to M. Kennedy and others by J. D. Whiteside, | - | - | 120,000 | |
| " left with Macalister & Stebbins, by do. on deposit, and by them sold, | - | - | 71,000 | |
| | | | <hr/> | 3,908,000 00 |
| " sold to J. Wright & Co. of London, | - | - | £69,225 | |
| " delivered to Thompson and Forman, | - | - | 11,000 | |
| " pledged do do | - | - | 41,625 | |
| | | | <hr/> | |
| " sold to State Bank by J. D. Whiteside, | - | - | £122,550 | equal to 544,122 00 |
| | - | - | - | 100,000 00 |
| | | | | <hr/> |
| | | | | 7,217,122 00 |
| Deduct seven bonds of \$1,000 each, received from Commercial Bank of Buffalo, | - | - | - | 7,000 00 |
| Balance, | - | - | - | <hr/> |
| | | | | 7,210,122 00 |
| Internal improvement scrip, and scrip issued by board of Auditors outstanding, | - | - | 886,669 94 | |
| Cash obtained by Fund Commissioner upon 724 bonds of \$1,000 each, hypothecated to Macalister and Stebbins, yet outstanding, as per statement of Fund Commissioner, with interest at the rate of 7 per cent. per annum on this sum, | - | - | 172,405 00 | |
| Sold to contractors on Northern Cross Railroad, 94 bonds of \$1,000 each, 84 of which have been hypothecated to Fund Commissioner, by the contractors for the sum of \$42,000, Illinois State Bank paper, leaving a balance of \$10,000, | - | - | 10,000 00 | |
| | | | <hr/> | 1,069,074 94 |
| Total debt on account of bank and internal improvement bonds and scrip, | - | - | - | <hr/> |
| | | | | <hr/> |
| | | | | \$8,279,196 94 |

Illinois and Michigan Canal Stock.

| | | | |
|---|---|---|----------------------|
| Bonds sold by my predecessor, | - | - | \$1,000,000 00 |
| Amount sold by Gov. Reynolds to President of the United States Bank, | - | - | 1,000,000 00 |
| " sold by Gov. Reynolds and Gen. Raw- lings to John Delafield, | - | - | 300,000 00 |
| " sold by Gen. Thornton on canal, | - | - | 100,000 00 |
| " do do in London, | - | - | 1,000,000 00 |
| " advanced by Wright & Co., on con- tract with Judge Young and Gov. Reynolds, £30,000 by terms of con- tract, equal to | - | - | 145,188 00 |
| " bonds paid to contractors in 1841 and 1842, | - | - | 197,000 00 |
| | | | <hr/> 3,742,188 00 |
| " outstanding scrip, | - | - | 341,972 71 |
| " of certificates of indebtedness issued by commissioners, | - | - | 254,747 00 |
| | | | <hr/> 596,719 71 |
| Total canal debt, | - | - | <hr/> \$4,338,907 71 |

| | |
|---|--------------------|
| Bonds outstanding on account of State House, | 116,000 00 |
| Amount due School, College and Seminary Funds, | 808,085 00 |
| " " State Bank for warrants paid, | 294,190 00 |
| | <hr/> 1,218,275 00 |
| Amount due on account of surplus revenue, | \$477,919 44. |
| Total debt upon which interest accrues, | \$13,836,379 65. |

Recapitulation.

| | | | |
|--------------------------------------|---|---|---|
| Total Bank stock, | - | - | \$2,665,000 00 |
| " Internal Improvement debt, | - | - | 5,614,196 94 |
| " Canal debt, | - | - | 4,338,907 71 |
| " State House, | - | - | 116,000 00 |
| " School College and Seminary funds, | - | - | 808,085 00 |
| " Due State Bank for warrants, | - | - | 294,190 00 |
| | | | <hr/> Total debt upon which interest accrues, |
| | - | - | <hr/> \$13,836,379 65 |

Annual interest upon which amounts to the sum of \$830,182 77.

To meet these liabilities the State has the following
resources at present unavailable:

| | | |
|--|---|--------------------|
| Lands remaining unsold of canal grant | - | 238,985:57 acres. |
| Lands granted to the state under the provisions of an act entitled an "Act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights," approved September 4th, 1851, | - | 210,132:85 acres. |
| Lands purchased by the State for internal improvement purposes, | - | 4,332:00 acres. |
| | | <hr/> Amounting to |
| | - | 489,450:42 acres. |

Amount due canal fund from sales of lands, town lots,
stone, timber, &c. - - - - \$201,964

At the date of my last message the following named
purchasers of bonds had failed to pay for them ac-
cording to contract, to-wit:

| | | | |
|------------------------------|---|---|---------|
| John Delafield in the sum of | - | - | 433,000 |
| A. H. Bangs | - | - | 50,000 |
| Bank of Commerce at Buffalo, | - | - | 90,000 |
| Commercial Bank at Buffalo, | - | - | 90,000 |
| Erie County Bank | - | - | 67,500 |

| | | | | |
|--------------|---|---|---|-----------|
| Amounting to | - | - | - | \$730,500 |
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I have, however, been informed by the Fund Commissioner that a part of the above bonds has since been paid for, and that the remainder has been additionally secured.

If, however, payment should not be made, they will remain I presume in the same attitude as at the last meeting of the Legislature; and the opinion I then expressed remains unchanged: that the State is under no equitable or moral obligation to redeem them. The same reasoning would apply to the seventy-one bonds of \$1,000 each left by the Fund Commissioner with Macalister & Stebbins on deposit, and by them sold, for which no payment has been made. Not having been furnished a copy of the contract between the Fund Commissioner and Macalister & Stebbins, by which they advanced \$172,405 upon 724 interest bonds of \$1,000 each, hypothecated to them, I am, therefore, at a loss to arrive at the true condition of said bonds. I, however, infer that interest does not accrue upon the bonds, as the statement in the preceding table, furnished by the Secretary to the Fund Commissioner, shows that interest from the first of July, 1841, at the rate of seven per cent. per annum, accrues upon the money advanced, to-wit: on \$172,405. If this view of the case be correct, then the interest upon this last named sum is all that can be chargeable to the State on account of said contract.

The contract made in 1839 by the agents of the State with Messrs. John Wright & Co., of London, by which 1,000 canal bonds of £225 each were placed in the hands of said Wright & Co., with authority to sell for the benefit of the canal, and the contract made by the Fund Commissioners about the same time with the same company by which 1,500 internal improvement bonds, of £225 each, were placed in their hands, to be sold for internal improvement purposes, remains unadjusted in consequence of the insolvency of said Wright & Co., which occurred in the latter part of the year 1840 or early in 1841.

In the spring of 1841, the Fund Commissioner found it necessary to go to England for the purpose of adjusting the unsettled affairs growing out of the negotiations made in that country by his predecessors.

With a view of saving expense to the State, I empowered him, associated with Samuel Jaudon and James Morrison of London, to adjust and settle the accounts of the canal.

On his arrival, it was found that Messrs. Wright & Co., prior to their bankruptcy, had disposed of a portion of the bonds, over and above the amount of money they had advanced.

The sum of £19,776 5s. 8d. was proven on account of the canal, and £33,913 9s. 8d. on account of internal improvements. Since then, a final settlement of the estate of said bankrupts has been made, and the assets will yield to their creditors, as I am informed, a dividend of about seventy-five cents to the dollar.

In May last, I received a letter dated London, March the 9th, 1842, from Messrs. Morrison, Sons & Co. informing me, that they had received from the assignee of Wright & Co's. estate, through Amory, Sewell and Moores, solicitors, 742 canal bonds, of £225 each, which would be delivered upon my order.

In August last, I empowered the Fund Commissioner, who then expected to start immediately to England, to receive the dividends as before stated, due from the estate of Wright & Co. and also to receive and cancel the 742 canal bonds, then in the hands of Messrs. Morrison & Sons, and instructed him to apply the money thus received to the payment of interest due upon the canal debt in London.

I have, however, since understood, that the Fund Commissioner has abandoned his contemplated voyage to Europe for the present.

If the dividends of the assets of the estate of Wright & Co. equal my expectation, the loss incurred by the State, in consequence of their bankruptcy, will be comparatively small, falling only sixteen per cent. on account of the canal, below the price originally stipulated to be paid for the bonds, and a loss of fifteen per cent. will be sustained on account of the internal improvement bonds disposed of and unaccounted for, prior to their bankruptcy.

The residue of the internal improvement bonds, which were not disposed of by said company, I have no account of, but presume they have been recovered by the solicitors of the Fund Commissioner, or remain in the hands of the assignee of said company.

Having said this much in explanation of items and accounts that could not otherwise be exhibited, by recurring to the table, you will perceive that the whole amount of our public debt, upon which interest accrues, is \$13,836, 379 65.

Assuming, however, that the dividends of the capital stock owned in the banks, will equal the interest upon the bank debt, or that the stock will be withdrawn, and deducting it from the above amount, the sum chargeable with interest will then be \$11,171,379 65, the interest upon which at six per cent. per annum, amounts to \$670,282 77. For the payment of this sum annually, the faith and credit of the State are solemnly and irrevocably pledged.

It, therefore, becomes your duty, as the guardians of the character and reputation of the State, to provide, if possible, the means of paying this sum. There are but two resources upon which you can rely for this purpose. The first is the landed property of the State, and second, a resort to direct taxation.

The State now owns 489,450:42-100 acres of land, equal in quality and location to any within her limits. This amount includes the land appropriated for town purposes on the canal line.

Although this land must ultimately attain great value, it will be impossible to render it available at present. This opinion will be confirmed by

a reference to the attempt that was made to pay the interest upon the canal debt by a sale of land.

An act was passed during the session of the Legislature of 1840, authorizing the commissioners to sell so much of the canal lands and lots, as would be required to pay the interest that would accrue that year.

Notwithstanding money was more plenty at that time than at present, and the disposition to invest it in land much greater, and notwithstanding the lands then offered were as valuable as any owned by the State, yet only a small portion could be sold, and the policy had to be abandoned as unavailing.

This serves to demonstrate the impracticability of realizing funds from the landed resources of the State, to pay the interest upon her debt.

It now becomes necessary to consider the only remaining resort within your reach, which is as before stated—direct taxation.

To this subject, in which the character and dignity of the State, as well as the interest of the public creditors, and the people whom you represent, are so deeply involved, your most serious consideration is invited.

At the date of my last message, a resort to this measure at the present time, for the payment of interest, was contemplated, and its practicability was not doubted. It was believed by adopting rigid economy in the public expenditures, that not only sufficient revenue for the ordinary expenses of the Government could be derived from the personal property and lands then taxable, at the rate of taxes then levied, but that a considerable surplus might be saved. This surplus added to the revenue, that it was anticipated would be collected from the vast quantity of lands annually becoming taxable, would go far towards the payment of interest upon the internal improvement debt. In the mean time it was expected that sales of canal lands would be made to meet the interest that would accrue upon the canal debt. But this expedient as before stated has failed, and now this debt, if provided for, must become like that of the internal improvement, a burden upon taxation: it, therefore, becomes necessary from this single source, to raise annually, for purposes of interest, \$670,282 77 instead of \$320,700. Nor is this the only obstacle, great as it is, that must be encountered in adopting this policy.

The experience of this and the past year has shown that the revenue derived from the natural increase of personal property, and the vast quantity of lands annually becoming taxable, will little more than compensate for the reduction produced by the decrease in the value of taxable property, caused by the pecuniary embarrassments of the country.

By reference to the assessment list, it will be seen that the quantity of taxable lands for the present year, exceeds that of the last more than 3,000,000 of acres, which at the lowest valuation increased the revenue \$27,000. Yet the reduction upon the value of property previously taxable, was so great that the aggregate assessment of the present year is only increased \$10,000.

It ought not to be overlooked that this great reduction in the value of taxable property, has occurred under the operation of the precautionary provision enacted by the last legislature, fixing the minimum valuation

of taxable land at three dollars per acre, without which it is evident that reduction would have been much greater.

It is now obvious that in consequence of the almost total annihilation of our circulating medium, that a still greater reduction in the value of taxable property must ensue for the next year, and be continued from year to year so long as the cause which produced it shall exist, while the quantity of new lands annually becoming taxable, will be rapidly diminished.

Thus it will be perceived, that the hopes which were formerly so confidently indulged, of paying the interest upon our public debt by this means, have been doubly disappointed.

We cannot now expect to realize a revenue from taxation, sufficient to pay any considerable portion of it, without greatly increasing the rate. Under existing circumstances, however, the present rate is found to be so burthensome and oppressive, that I have felt constrained in another part of this communication to recommend its reduction.

Owing to our accumulated misfortunes, the tides of emigration and wealth have ceased to flow into the State. All the channels of trade are completely obstructed, and the vitality of business seems almost extinct. In many places money cannot be realized in sufficient amounts to answer as a medium of exchange.

The products of the country cannot be disposed of for cash at any price, and remain unavailable on the hands of the producers, or are bartered for the necessary articles of domestic consumption.

The greatest inconvenience and difficulty will be experienced in procuring current funds for the payment of taxes. To increase the rate at the present time would be to inflict general embarrassment and distress, and to impose upon the people a burthen which they could not possibly endure.

Therefore, I am forced to the unpleasant and humiliating conviction, that you cannot from this source, or any other at your command, make any permanent provision for the payment of interest.

The only possibility of relief from the heavy embarrassments under which the State is laboring, must be by the reduction of the principal—to the attainment of this desirable object all our energies and resources should be directed.

In view of the difficulties surrounding our affairs, and the crisis at which we have arrived, it will devolve upon this General Assembly to devise the means and adopt such policy as will most speedily and successfully call into requisition and render available the resources of the State.

Although cash cannot at present be realized for the lands owned by the State, it is nevertheless confidently believed that by the time the outstanding bonds become payable, those lands will attain a value at least equal to the whole amount of the public debt.

But as we are unable to pay the accruing interest, it is evident that its accumulation will exceed the annual increase of our means, and when the bonds become due, our ability to meet our obligations will be no greater than at present.

Therefore, necessity would seem to point out the propriety, if possible,

of going into liquidation now, by placing those lands by legislative enactment at the option of the holders of our bonds.

By this means it is believed that the interest of the public creditors themselves would be promoted to a very great degree, as it would afford them the opportunity of realizing lands upon equitable terms, for the bonds they hold, which otherwise must continue unavailable upon their hands, so long as the interest accruing upon them remains unpaid.

The adoption of this measure would at least evince a willingness on the part of the State to do justice to her creditors to the utmost of her ability, and should they be disposed to avail themselves of it, might enable her to reduce her debt, perhaps to a manageable sum. Should this policy be adopted, the Legislature will see the propriety of applying the canal lands exclusively to the redemption of the debt contracted on account of the canal.

In consequence of the depreciation of the notes of the State Bank of Illinois, it became my duty, in conjunction with the Auditor and Treasurer, under the provisions of an act entitled "An act, concerning the payment of revenue, and for other purposes," approved January 16th, 1836, to publish a proclamation, prohibiting the collectors from receiving the paper of that institution, in payment of revenue, from and after the 12th of September last. In order still further to protect the interest of the State, it became necessary to address the collectors a subsequent communication, admonishing them that the notes of the Bank of Illinois could not be received for more than their current value, and requesting them to suspend the further collection of revenue until after the meeting of the Legislature. It is understood that this request has been generally complied with, and in most of the counties no collections have yet been made. This course was suggested under the impression that little or no injury would result to the State, in consequence of the delay, and that you would have it in your power to relieve the people from at least a portion of their burthen. It was believed, by introducing proper reform and retrenchment, the ordinary expenses of the State government might be reduced greatly below former estimates.

With a view to this object a plan will be submitted for your consideration by the proper offices, exhibiting the various items of expenditure upon which reductions may be made. Should this plan prove practicable, the rate of taxes levied upon the present assessment may be reduced nearly one half. As the revenue now due is designed to meet the expenditures for 1843, the proposed reduction may be applied with great propriety to the assessment of the present year.

Owing to the failure of both our banks and the consequent scarcity of money, the produce of the country is reduced to the lowest price, and in many places cash cannot be realized for it at all. It will be difficult, if not impossible, for the people to procure current funds for the payment of taxes. A just regard for their interest dictates that the least possible amount should be exacted from them for this purpose at present.

I would, therefore, earnestly recommend that the rate of taxes be reduced as low as the most economical administration of the government will justify.

The condition of our banking institutions demands your most serious

attention. Since the unfortunate alliance between them and the State was consummated, they have been the constant objects of legislative favor. In order to make that alliance mutually profitable to the banks and the State, and beneficial to the people, the most liberal policy towards them has been uniformly pursued. Their suspension of specie payments was legalized, and new and extraordinary privileges added to their original liberal charters. The State contributed her utmost aid to establish their credit and give currency to their circulation. The safe keeping, and disbursement of her revenue was confided to one, and the notes of both made receivable in payment of all her dues.

Upon institutions thus favored it was natural that the people should bestow the full measure of their confidence. Not the slightest doubt either of their solvency or fidelity was entertained. The interests of the country were deemed perfectly secure under their control. It was expected that the facilities they afforded would be ample and permanent, and that their circulation would constitute a safe and convenient currency. All this confidence, however, was misplaced, and was enjoyed by the banks only to be abused.

The most improvident use was made of their credit, discounts were unguardedly made, accommodations imprudently granted, and their issues extended, not only beyond all the bounds of moderation and prudence, but greatly beyond their ability to redeem them.

The inevitable consequence of this impolitic and extravagant course, was a resort for the second time to a suspension of specie payments. The disregard of principle and faithlessness manifested by this act should have deprived them at once of all legislative support. But at this time they had entwined themselves almost indissolubly around the interests of the country. Every department of business and trade was entirely at their mercy, the people and State were completely within their grasp. The pecuniary embarrassment and distress that would have been occasioned by the sudden withdrawal of their paper from circulation was truly alarming.

Influenced by these considerations and deceived by the deceitful prospects held out by the banks; that they would in a short time be able to recover from their difficulties, the legislature which assembled soon after their suspension, again rendered its aid and indulgence. The utmost liberality and lenity was extended to them at that and the succeeding sessions. Every measure that would tend to relieve their embarrassments and sustain their sinking credit was freely adopted. By pursuing this policy they merely postponed a calamity which it was not in their power to avert. That calamity has since fallen upon the country with a paralyzing force. The paper of the banks has depreciated to about one third of its nominal value. Thus a loss has been inflicted upon the country corresponding to this depreciation, upon the whole amount of their notes in circulation.

The injury they have in this manner occasioned has been greatly aggravated and increased by the peculiar circumstances under which it occurred.

The failure of a multitude of banks in the neighboring State, and the great reduction which had been effected in the circulation of others, pre-

paratory to a resumption of specie payments, had caused an exclusive reliance for a currency upon our own institutions. The sudden depreciation of their paper has, therefore, almost entirely deprived us of a circulating medium. They still remain in a state of suspension, and will, I presume, in some manner be made the subject of legislation.

Should you merely withdraw your support from them, and leave them in the possession of their chartered privileges, by availing themselves of the reduced value of their paper, they will probably be able at some future period, to resume specie payments, and to some extent regain their credit. Should this ever happen, there is every reason to apprehend that it would only be to repeat their course of imprudence and folly, and to expose the country again to its ruinous and withering effects. They have already failed to accomplish the object for which they were created and have proved themselves utterly unworthy of trust or confidence. A just regard for the public interest requires that their corporate existence should be speedily terminated. As the most direct and effectual mode of attaining this object, I would recommend a repeal of their charters. The power of a succeeding legislature to repeal any act of a preceding one, affecting the public interest, results from the very nature of our institutions. It is the only effectual security of the rights of individuals against the invasions of corporate bodies. The period has arrived when it has become necessary that this power should be asserted and exercised. The careless and unguarded manner in which chartered privileges have been granted, the boldness and impunity with which those privileges have been abused, and the injury which has thus been inflicted upon the people, forcibly illustrate the absurdity and danger of subscribing to the doctrine of vested rights. The only effectual mode of restraining the grasping and overreaching spirit of monopolies, and of confining them within their chartered limits, is by a prompt and wholesome exercise of the repealing power. Prudence, of course, would dictate that this power should never be wantonly or unnecessarily employed, but when the conduct of a corporate institution renders it necessary, or the public welfare demands it, it should be unhesitatingly exercised. The unwarrantable conduct of our banks, and their relations to the interest of the people, render them in my estimation proper subjects for its application. Should you concur with me in opinion, and repeal their charters, it will become your duty to provide by law for a final settlement of their accounts, in such a manner as to secure, as far as possible, the rights of both the stock-holders and creditors.

A communication was addressed to me by the acting Secretary of the Treasury dated Nov. 4th, 1842, stating "that the accounting officers have adjusted the accounts of the several States and Territories, under the act of Congress entitled 'An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights,' approved Sept. 4th, 1841, and that the sum of \$46,289 35 (including the additional ten per centum) has been found due to the State of Illinois. From this there will be deducted the amount due the United States on account of interest due and unpaid on certain stocks of the State, held by the United States, and the balance will be duly paid on the application of the authorized agent of the State." The 3d section of the act above recited provides, that the

distributive share of money due to any State or Territory under the provisions of the law shall be paid to any person or persons whom the Legislature thereof should authorize to receive the same, or in case the Legislature was not in session, to any person or persons whom the Governor should appoint. The period of time which was to elapse between the receipt of the above communication and your meeting, was so short that the State could not be injured by the delay; and as I conceived the matter of sufficient importance to require your action, I thought proper to decline authorizing an agent to receive the money, and now submit it entirely for your consideration. I was more strongly prompted to adopt this course by a knowledge of the fact, that the legislatures of several of the States have not only refused to accept the sums of money to which their States respectively became entitled under the provisions of the same law, but have expressed in strong and decided terms their entire disapprobation of the distribution policy. The patriotism and devotion to principle that these legislative bodies have evinced, by resisting the influence of this seductive and dangerous policy, cannot, in my estimation, be too highly commended. It would be a source of great gratification should you in your wisdom think proper to imitate their example. The distribution of the proceeds of the sales of the public lands to the States, is manifestly an exercise of power on the part of Congress not delegated by the Constitution of the United States. The revenue derived from the sales of the public lands does not differ in any respect from the revenue collected from customs. This is evident from the fact, that the cost of purchasing and surveying the public lands is paid out of the revenue derived from customs, and whatever deficit is occasioned in the United States Treasury by the distribution of the former, must be supplied by the latter.

The revenue derived from these two sources being in its character the same, Congress cannot exercise any more power over one portion than it could over the other. If, therefore, it can distribute the proceeds of the sales of public lands, it follows that it can also distribute the revenue collected from customs. It then becomes a question whether or not the Constitution of the United States clothes Congress with the power to collect revenue for the purpose of distributing to the States. The powers conferred upon Congress by the Constitution are of two classes, first those which are expressly delegated, and second, those which are essential or necessary to the exercise of delegated powers. The distribution of the revenue or any portion of it among the States, is not enumerated among the delegated powers, nor will any one, I presume, maintain that it is essential to the exercise of any delegated power. If this view of the subject be correct, the distribution of the proceeds of the sales of the public lands among the States, is not warranted by the Constitution, and is, therefore, an usurpation on the part of Congress.

This conclusion is strengthened by the consideration that while the people conferred upon Congress the power to collect revenue for the support of the General Government, they reserved to the States all the authority and power necessary to collect revenue for the support of the State governments respectively.

Having thus pointed out the unconstitutionality of this measure, I should leave it without further comment, were it not for the fact that it is pre-

presented to you under circumstances somewhat peculiar. The great financial embarrassments under which the State is laboring furnish a pretext, though not a justification, for your accepting the money that has accrued to this State under the provisions of the distribution act. The necessities of the State, however great they may be, cannot, in the slightest degree, justify you in sanctioning the violation of the sacred principles of the Constitution. The importance and value of those principles cannot be estimated by paltry considerations of money. They are the land marks which have guided our course through periods of prosperity, and must not be lost sight of in seasons of adversity. Prudence, as well as consistency, requires that we should at all times, and under all circumstances, insist upon a rigid adherence to them on the part of our rulers. Your action, therefore, upon this subject, whatever it may be, must be regulated, not by considerations of the convenience or necessity of the State, but by solemn convictions of your duty as legislators under the Constitution. Another pretext for accepting the portion of the distribution money, now due the State, is found in the fact that the law making the distribution is suspended in its operations, and no further distribution will probably take place. This, however, is an erroneous view of the subject. The acceptance of any portion of the money by the Legislature of the State, would be a full and complete acknowledgment of the constitutionality of the law. And thus a precedent would be established for the regulation of all future legislation upon the subject.

It must not be forgotten that the suspension of the law is only temporary, and that its operation will be renewed whenever the causes which have produced the suspension shall cease to exist, or be removed by the further action of Congress. That one or the other of these contingencies will soon happen there can be little doubt. The policy of distribution is progressive in its nature, and will not be easily checked. This is manifest from the insidious, though rapid, progress it has made since its development up to the present time.

It first disclosed itself in 1836, when the question of disposing of the surplus revenue was in agitation. The obstacle which the Constitution of the United States presented against its distribution to the States, could not at that time be overcome. This obstacle was, however, circumvented by the provisions of the act of Congress entitled "An act to regulate the deposits of the public money," under which the surplus revenue was virtually distributed to the States. At the special session of 1841, the constitutional barrier was effectually broken down, and an act passed by Congress to distribute to the States the proceeds of the sales of the public lands. This act was passed when there was no surplus in the Treasury, when a debt of many millions was hanging over it, and when only a few weeks previous to its passage, and during the same session of Congress, it had become necessary to authorize a loan of twelve millions of dollars to defray the expenses of the Government. At this time some of the States, it is true, were deeply involved in debt, but others again were not only entirely free from debt, but actually had surplusses in their treasuries. Yet it was proposed to distribute the land revenue to the States, and supply its place in the National Treasury by a loan. The extravagance and folly of this measure, can only be accounted for by the corrupting influence

of the distribution policy. The moment the States yield to this tempting influence their independence and sovereignty will be at an end. The privilege of expending the revenue, without any of the restraints which the responsibility of its collection imposes, will destroy every principle of moderation and economy. The extravagance which would thus be engendered, would furnish Congress with a pretext for collecting, by means of oppressive duties, an enormous revenue from the people, or for incumbering their labor and industry perhaps for ages to come with an immense national debt.

At the last session of the General Assembly it was known that the provision of selling bonds at par, for the construction of the Illinois and Michigan canal, which had been previously made, owing to their depreciation in the market, had become, and was likely to continue, unavailing.

In consequence, however, of the exhausted means and fallen credit of the State, no further provision for its prosecution could be made. Since that time the only reliance for the progress of the work has been the remainder of the proceeds of the sale of 1,000,000 of bonds negotiated by Gen. Thornton in 1840. After these funds were exhausted a portion of the contractors prosecuted their contracts to completion, and proposed to receive from the canal commissioners, bonds at par for the estimates due them. Accordingly, bonds were executed and paid to them to the amount of \$197,000. But the unprecedented depreciation of Illinois stocks about this time in the eastern market rendered a further continuance of this expedient unavailing. Since then the principal operations upon it have been carried on by the contractors, without any aid from the State, in order to finish existing contracts, and unless means can be derived from some new source the further prosecution of this work at present is impossible.

For a statement of its progress and present condition, I refer you to the report which will be submitted by the board of commissioners.

According to a statement recently received from the acting commissioner, the amount which has been expended towards its construction is computed at about \$4,800,000, and the amount which will be required for its completion is estimated at \$3,000,000.

It is to be deeply lamented that our embarrassments are such that we cannot at present realize this sum for so noble a purpose. The completion of this magnificent work has long been anticipated as the grand achievement which was to distinguish and give character to Illinois. The sublimity of connecting the great chain of northern lakes with the majestic Mississippi, could only be equalled by its utility. The advantages of this communication in order to be fully appreciated must be realized.

Its completion would give a new and powerful impulse to every department of business and industry throughout the entire State, and to this source, more than to all others combined, we might look for relief from our present difficulties. The advantages it would present, and the facilities it would afford, would cause tides of emigration and floods of wealth to pour into her bosom. Capital would be invested, manufactories erected, and improvements multiplied. While the revenue which would be derived from the rents of surplus water power and tolls, would furnish a per-

manent and increasing fund which might be applied to the payment of interest upon the public debt.

Although we have no means which we can apply to the prosecution of the canal at present, yet its great importance, and the vast amount which has been already expended upon it, when compared with the sum wanting for its completion, forbid the idea of its abandonment. I would, therefore, respectfully submit the propriety of memorializing Congress to grant to the State an additional quantity of land, which, together with what remains of the former donation, will be sufficient for the remaining cost of its construction.

With a view to this object, our efficient and praiseworthy Senator, R. M. Young, has introduced a bill into the Senate of the United States, appropriating 477,818 acres of land for that purpose. This quantity is necessary to raise the grants made to this State to an equality with those already received by the State of Ohio. The bill was referred to the appropriate committee, and will probably be reported and acted upon during the present session of Congress. Should it be properly urged its success is confidently anticipated.

The importance of opening this communication, not only to Illinois, but to all the States and Territories bordering upon the lakes and Mississippi, as well as the facilities it would afford for the transportation of the mails, and in case of war the troops and munitions of war, mark it as an enterprise of high national character.

Under the provisions of an act of Congress entitled "An act for the apportionment of representatives among the several States according to the sixth census," Illinois will hereafter be entitled to seven members. It, therefore, becomes your duty to provide by law for the election of that number of representatives to the twenty-eighth Congress. It cannot fail to be a source of gratification and pride to the citizens of Illinois, that while the ratio of representation has been raised so high as considerably to diminish the aggregate number of representatives, and of course to reduce the representation of many of the States, such has been the almost unexampled increase of our population since the last apportionment, that our own representation has been more than doubled.

The frequent recurrence of abuses of the elective franchise in this and other States, should admonish us of the necessity of more carefully and more effectually guarding that right. With a view to the accomplishment of that object, I would respectfully but earnestly recommend that the laws regulating elections be revised and so amended as to increase the penalties to be inflicted for their violation. And, also, at all future elections in this State to prohibit persons from voting in any precinct except the one in which they may actually reside. This provision, while it would not abridge the rights of any voter, would protect the institution from frauds and corruption. And although it might operate inconveniently in some instances, yet its necessity and the importance of the object to be attained by it, would abundantly justify its enactment. The preservation of this right in its utmost purity is essential to the maintenance of all our other republican institutions. Through its exercise alone can the majority of the people peaceably redress their wrongs, enact their laws, and select their rulers, and retain the powers of government in their own hands.

While its exercise secures us the enjoyment of all the privileges and immunities of freemen, its abuse would be equally fatal to our liberty. Its corruption would subject the virtuous and intelligent majority to the usurpation and tyranny of a vicious and ignorant majority. Thus, this institution, instead of protecting and supporting the government, would become the means of its overthrow. It would, therefore, seem that any provision which may be necessary for its preservation should be promptly and unhesitatingly adopted.

By an act of Congress entitled "An act to distribute the proceeds of the sales of the public lands, and to grant pre-emption rights," approved Sept. 4th, 1841, the quantity of 210,135.85-100 acres of land was granted to the State of Illinois. An act was passed on the 19th of March, 1842, authorizing the Governors of the States of Illinois, Arkansas, and Missouri, to select the lands granted to those States respectively.

In conformity with the provisions of this act I appointed agents, and caused the before mentioned quantity of land to be selected and located, with the registers of the land offices, in the different districts in which the selections were made. In selecting this land, the agents were directed to visit and examine every separate tract, and to select none but the first quality. By the accompanying reports you will perceive that they discharged the trust confided to them with great care and fidelity. The land is represented to be of the finest quality, and advantageously located, and will, I have no doubt, prove highly valuable to the State. Although this land was granted by the law which provides for the distribution of the land revenue among the States, to which measure I have felt constrained in another part of this communication to express my decided objections, yet those objections are not applicable to a grant of land. Congress cannot distribute the proceeds of the sales of the public lands to the States, yet it might with the utmost propriety donate portions of those lands to the States in which they are situated. The proceeds of these lands applied to the opening of communications and the construction of improvements, which would encourage the growth and advancement of the new States, would greatly enhance the value, and facilitate the sale of the government lands within their limits.

This enlightened and liberal policy was long since adopted and extensive donations made to several of the States. The present grant, therefore, to Illinois, and others mentioned in the law, was merely regarded as an act of justice which was necessary in order to place them upon an equality with those which had previously received similar grants.

Having thus in an imperfect manner presented a few of the most prominent subjects which demand your consideration, such other matters as may solicit your attention I must leave your own wisdom to suggest. I sincerely regret that it has been my duty to exhibit so dark and gloomy a view of our present condition. It is truly unfortunate, that the errors of past legislation, should have impeded the progress and almost destroyed the prosperity of the State. But the experience we have had, and the lessons of economy it has taught, will enable us in time to repair the injuries that have been inflicted. And I confidently hope that the energies of the people, aided and encouraged by wiser councils, will rapidly develop the resources of the State and soon place her upon that eminence which she is

at some future period destined to attain. I should do injustice to my feelings were I to close this, my last official communication, without expressing the profoundest sense of my gratitude to my fellow citizens for the kindness and partiality they evinced in elevating me to the station from which I am about to retire, and congratulating them upon their choice of a successor, whose experience, integrity and talents so eminently qualify him for discharging the responsibilities he is about to assume.

In conclusion, I would invoke upon your labors the blessings of Him whose province it is to rule the destiny of nations. May He endow you with understanding and wisdom, that will enlighten and guide your deliberations, that your acts may prove salutary to the public good.

THOMAS CARLIN.

SPRINGFIELD, Dec. 7, 1842.

Mr. Nunnally moved that the message be laid on the table, and 5000 copies thereof be printed for the use of the Senate.

Mr. Smith moved that 3000 copies be printed; and

Mr. Killpatrick moved 1000.

The question was then taken upon the motion to lay the message on the table, and to print 5000 copies of the same.

Mr. Baker called for the yeas and nays.

The question was then decided in the affirmative, as follows:

Those who voted in the affirmative, are

Messrs. Barnett, Cavarly, Crain, Dougherty, Feaman, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parish, Pearson, Ralston, Slacumb, Warren, Willbanks, and Wynne—21.

Those who voted in the negative, are

Messrs. Baker, Buford, Catlin, Cullom, Davis, Evans, Fithian, Gilham, Harrison of Sangamon, Johnson, Killpatrick, Parker, Ruggles, Ryan, Smith, Stapp, Thompson, Vandeventer, Waters, and Worthington—20.

On motion of Mr. Ralston.

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed to inform the Senate, that the House of Representatives have concurred with them in the passage of their resolution, having for its object the appointment of a joint select committee to wait on the Governor and Lieutenant Governor elect, and inform them of their respective elections, and have appointed, on their part, Messrs. Cloud, Hicks and Gregg.

On motion of Mr. Warren,

The vote taken on this morning, by which the Senate refused to permit the Springfield Independent Order of Odd Fellows to occupy the Senate Chamber, at a time named in their petition then presented, was reconsidered; when

Mr. Ralston offered the following resolution to supercede said petition:

Resolved, That the use of the Senate Chamber be tendered to the Odd Fellows of Springfield, on Tuesday next, from the hours of 12 M., till 2, P. M., for the purpose of holding a celebration; which was adopted.

On motion of Mr. Davis,

The following preamble and resolution were adopted:

Whereas, An inauguration party is proposed to be holden at the State House on to-morrow evening, in order that the citizens of Springfield and visitors to said city, may meet the Governor elect and interchange the civilities customary upon such occasions; therefore,

Resolved by the Senate, the House concurring herein, That the possession of the Senate Chamber and Hall of the House of Representatives, be tendered to said party on the occasion referred to, on Thursday evening next, after the hour of 5 o'clock, P. M.

Ordered, That they be sent to the House of Representatives for concurrence.

Mr. Speaker laid before the Senate the following communication, viz:

SPRINGFIELD, ILLINOIS, Dec. 7, 1842.

To the Hon. the SPEAKER
of the Senate:

SIR: Such documents as have heretofore been printed for the use of both Houses, having been printed in octavo or book form, has occasioned an extraordinary expense of postage to those to whom they have been sent, and has also been attended with greater expense to the State, in printing, stitching, paper, &c. I would, therefore, respectfully suggest that such documents be hereafter printed in folio or quarto form, where they are designed for such temporary use, and that to all of them there shall be appended a caption, in compliance with the regulations of the Post Office Department, governing the rates of postage on periodical publications.

I have the honor to be,

Sir, very respectfully,

Your most ob't. serv't.

WILLIAM WALTERS,

Public Printer.

On motion of Mr. Vandeventer,
The foregoing communication was laid on the table.

On motion of Mr. Hoard,

Resolved, That all public documents ordered by the Senate to be printed for distribution, shall be published in quarto form, of a size similar to that of the Governor's message, recently laid before the Senate.

On motion of Mr. Ralston,

Resolved, That hereafter the standing hour of adjournment shall be to ten o'clock, A. M., until otherwise ordered by the Senate.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolutions, viz:

Resolved by the House of Representatives, the Senate concurring herein, That the Secretary of State be directed to deliver to any member of the General Assembly, any book or work which he may desire, from the Li-

brary of the State, on his application therefor; and that the Secretary keep a book in which the name of the member, and the book or work taken, shall be entered.

Resolved, That any member so taking a book or work from the Library shall be held responsible for the same, and in case the same shall be lost, the value or cost thereof shall be deducted from the pay of the member; and no book or work shall be retained for a longer period than one week, except the journals of the Legislature, and statutes of the State.

In which they ask the concurrence of the Senate.

Mr. Cavarly, from the joint select committee appointed to wait on Thomas Ford, Governor elect of the State of Illinois, and John Moore, Lieutenant Governor elect of said State, and inform them, respectively, of their elections, and to learn from them at what hour it would be convenient for them to meet the two Houses, in the Hall of the House of Representatives, to be installed into office, made the following report, to-wit:

That they have performed that duty, and have received for answer, that they will meet the two Houses, in the Hall of the House of Representatives, on Thursday next, at 2 o'clock, P. M.

On motion of Mr. Stapp,

The above report was laid on the table.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that the House of Representatives refuse to concur with the Senate in the passage of their preamble and resolution, proposing to give the use of the Senate Chamber and Representatives' Hall for an inauguration party on the evening of Thursday next.

Mr. Stapp offered the following preamble and resolution:

Whereas, It appears by the message of the Governor, this day read in the hearing of the Senate, that the State of Illinois is indebted to the State Bank of Illinois in the sum of \$294,000, for advances made upon warrants issued by the Auditor of Public Accounts, in discharge of debts due from the State of Illinois, for ordinary and other expenses: *And whereas*, By the proclamation of the Governor, Auditor, and Treasurer, issued about the first September last, the collectors of the several counties in this State were inhibited from receiving the paper of the State Bank of Illinois and branches for taxes due the State for the year 1842: *And whereas*, Said proclamation, being made to take effect after the 12th day of September last, and about ten days after the appointment of collectors in the several counties of this State, thereby enabling and encouraging a portion of the people to pay their taxes in depreciated State paper, to the manifest injury of another portion, who will be compelled, under the proclamation, to pay in specie: *And whereas*, No possible danger of loss to the State then existed, nor now exists, because the State was, at the date of the proclamation, and now, indebted to the State Bank of Illinois in double the amount of the whole revenue due the State for the year 1842; therefore,

Resolved by the Senate, the House of Representatives concurring herein, That the effect and operation of the said proclamation cease and be of no effect or force from the date of the passage of this resolution.

Mr. Pearson moved a call of the Senate, which was proceeded in for some time; when,

On motion of Mr. Vandeventer,

It was dispensed with.

Mr. Ralston made a motion to amend the foregoing resolution, offered by Mr. Stapp, by striking it out and inserting the following:

Whereas, The State Bank of Illinois has wholly failed to purchase from the State, State bonds, according to the conditions of the act approved on the 27th day of February, 1841, entitled, "An act concerning the State Bank of Illinois;" *And whereas*, The said bank has also failed to declare and pay to the State a dividend, according to a further condition of said act: *And whereas, also*, The said bank has failed to resume specie payment according to a further condition of said act; therefore,

Resolved by the Senate, the House of Representatives concurring herein, That said bank, by her repeated violations of law, is no longer entitled to public confidence, and that her charter is wholly forfeited.

On motion of Mr. Henry,

Said preamble and resolution, offered by Mr. Stapp, and the amendment, offered by Mr. Ralston, were laid upon the table.

On motion of Mr. Parker,

Resolved by the Senate, the House of Representatives concurring herein, That a committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed to examine the laws in relation to the fees of the several officers of this State, and to report whether any retrenchment of such fees can be practicably made; and if so, in what particular, and to what extent.

The Chair appointed Messrs. Parker and Vandeventer to be said committee on the part of the Senate.

Ordered, That said resolution be sent to the House of Representatives for concurrence.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following preamble and resolutions, to-wit:

Whereas, The conduct of General Andrew Jackson, in the defence of New Orleans in the campaign of 1814-15, has, on various occasions, received the approbation of the American people: *And whereas*, Congress on the 15th day of February, 1815, by a vote of thanks, and by directing a gold medal to be struck and presented to him, as an evidence of their estimation of his patriotism, bravery, and good conduct, sanctioned and applauded his course in the said campaign: *And whereas*, The fine imposed upon him by Judge Hall, for an alleged contempt of the authority of said judge, is not only an unjust imputation upon the character of General Jackson, but a reflection of the justice and gratitude of the nation; therefore,

Resolved by the House of Representatives, the Senate concurring herein, That our Senators in Congress be instructed, and our Representatives earnestly requested, to use their exertions to procure the passage of a law, directing that the fine of one thousand dollars imposed by Dominick A. Hall, then District Judge of the United States for the district of Louisiana,

for an alleged contempt of his authority, upon General Andrew Jackson, and by said Andrew Jackson paid into the hands of the Marshal of said district, be refunded, together with the costs and interest on the same from the day of payment thereof.

In which they ask the concurrence of the Senate.

On motion of Mr. Cavarly,

The message from the House of Representatives, last received, was taken up.

Pending the question, whether the Senate would concur with the House of Representatives in the adoption of the preamble and resolution, which were the subject of said message,

Mr. Buford called for the yeas and nays.

Mr. Baker made a motion to strike out the preamble, and in lieu thereof, insert the following:

"Whereas, The Legislature of the State of Illinois, entertaining, in common with the American people, a very grateful recollection of the distinguished services of General Andrew Jackson in defence of his country; therefore."

The question being taken upon the motion of Mr. Baker;

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Fithian, Henry, Johnson, Killpatrick, Ruggles, Smith, and Worthington—9.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, Evans, Feaman, Gillham, Harris, Harrison of Sangamon, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parish, Pearson, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—32.

The question recurring—"Will the Senate concur with the House of Representatives in the adoption of the preamble and resolution?"

Mr. Baker called for a division of the same.

The question was then taken upon the adoption of the preamble, and resulted as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, Evans, Feaman, Gillham, Harris, Harrison of Sangamon, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parish, Pearson, Ralston, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—34.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Fithian, Henry, Johnson, Killpatrick, Ruggles, and Worthington—8.

So the preamble was adopted.

Upon the question—"Will the Senate concur with the House of Representatives in the adoption of the resolution?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davis, Dougherty, Evans, Feaman, Fithian, Gillham, Harris, Harrison of Sangamon, Hoard, James, Johnson, Leviston, Markley, Matteson, McMurtry,

Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—40.

Those who voted in the negative, are,
Messrs. Henry, and Killpatrick—2.

On motion of Mr. Ralston,

Ordered, That the votes upon the adoption of said preamble and resolution, from the House of Representatives, be re-considered; when,

On motion of Mr. Cavariy,

The preamble and resolution were amended by adding thereto the following:

Resolved, also, That the Governor be requested to transmit a copy of this preamble and resolutions to General Andrew Jackson, and one to each of our Senators and Representatives in Congress; and also, one to each of the Governors of the several States of this Union, with a request that the subject of the same be laid before their respective Legislatures."

The question was then taken upon the adoption of the preamble and resolution, as amended, and decided in the affirmative.

Ordered, That said preamble and resolutions, as amended, be transmitted to the House of Representatives, and that the Secretary request their concurrence in the Senate's amendment.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 8, 1842.

Senate met pursuant to adjournment.

Mr. Pearson asked and obtained leave to introduce a bill for "An Act to provide for the investigation of the State Bank of Illinois;" which was read a first time, and

Ordered to a second reading.

GEORGE W. HARRISON, Senator elect from the district comprising the counties of Jo Daviess, Carroll and Stephenson, appeared, presented his certificate of election, was sworn and took his seat.

The message from the House of Representatives, containing a joint resolution, relative to the procurement of books from the State Library, was taken up; when

On motion of Mr. Ralston,

Said resolution was referred to a select committee of three.

Ordered, That Messrs. Ralston, Baker and Buford, be said committee.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

The Speaker laid before the Senate a communication from the Governor, Auditor and Treasurer; which was read, and,

On motion of Mr. Dougherty,

Ordered, That said communication and accompanying documents, be laid on the table.

On motion of Mr. Stapp,

The Senate adjourned to 2 o'clock P. M.

TWO O'CLOCK, P. M.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That so much of Governor Carlin's message as relates to memorializing Congress on the subject of a further grant of lands to aid in the construction of the Illinois and Michigan Canal, be referred to a select committee of three on the part of the House, and two on the part of the Senate, with instructions to draft a memorial on the subject, and report the same to the House, and have appointed Messrs. Arnold, Hannaford, and Koerner the committee on their part.

In which they ask the concurrence of the Senate.

They have also passed the following resolution, in which they ask the concurrence of the Senate, viz:

Resolved, That the use of this Hall be allowed to the citizens of this place and others, this evening, after the hour of 5 o'clock, for the purpose of paying their respects to the Governor elect, at an inauguration party; *Provided,* that there shall be no dancing in the Hall of the House of Representatives during the entertainment of the evening.

On motion of Mr. Pearson,

The message last received from the House of Representatives was taken up.

On motion of Mr. Pearson,

The amendment of the House of Representatives to the resolution of the Senate, relative to the occupation of the Representatives' Hall and Senate Chamber, by an inauguration party, was concurred in.

On motion of Mr. Ralston,

The remaining portion of said message was laid upon the table.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed to inform the Senate that the House of Representatives are in readiness to receive the Senate in the Hall of the House of Representatives when, the oaths of office will be administered to the Governor and Lieutenant Governor elect.

And thereupon,

The Senate, preceded by Mr. Parrish, their Speaker, pro tem., repaired to the Hall of the House of Representatives, when the Governor and Lieutenant Governor elect, having been qualified into office by the Hon. Sidney Breese, one of the Justices of the Supreme Court of the State of Illinois, the Governor delivered verbally to the General Assembly, the following address:

Fellow citizens of the Senate

and House of Representatives:

Being about to take upon myself the high trust, confided to me by the people, duty and inclination alike prompt me to express to you, this first opportunity afforded me, my most grateful acknowledgments for their par-

tiality; and to assure you that whatever of zeal and humble ability I may possess, shall be faithfully and honestly devoted to their service, as the only means in my power of requiting in some degree the great honor of the public favor.

Indeed, so profound is my gratitude for the suffrages of my fellow citizens, that I regret only my limited means and poor capacity to serve them as well and as much as I could wish. The situation of the State presents a field of labor, where every thing is required to be done, and but little to do with. Our young State, once standing so proudly amongst her sisters of the Union; growing, populating and flourishing beyond all former precedent, has, by ill advised legislation, and by a worse execution of laws, bad in themselves, been reduced in a short space of time to a condition mortifying to our love country. It is not my design to cast censure upon the former government of the State. For perhaps, if we had been the public servants, during that time of disastrous legislation, we might have been possessed by the same phrenzy which precipitated our predecessors, and in fact nearly the whole people of this, and many other States of the Union, upon that course of policy which now appears to us so extravagant,

It may, nevertheless, be useful to inquire somewhat into the causes, which have contributed to produce our present embarrassments, not with the view to censure any one, but as a guide to future legislation. Undoubtedly our present great indebtedness is mainly attributable to the general desire of sudden and unwarrantable gain. We have not been satisfied with the slow, but sure profits of industry and lawful commerce. Speculation in every branch of business was the order of the day, and every possible means was hastily and greedily adopted to give an artificial value to property. In accomplishing this object, as to the manner and means, we surrendered our judgments to the dictates of a wild imagination. No scheme was so extravagant as not to appear plausible to some. The most wild calculations were made of the advantages of a system of internal improvement; of the resources of the State to meet all expenditures, and of our final ability to pay all indebtedness without taxation—mere possibilities appeared to be highly probable; and probabilities wore the livery of certainty itself.

These few leading causes of our present difficulties, are presented for attentive and sober consideration; so that in applying the remedy we may avoid all former delusion. Indeed, we must be thoroughly assured, that if we are to render any efficient service to our common constituents, we must take the course directly opposite, in many particulars, to that which has been hitherto pursued. We must get back to the dictates of common sense and sober judgment. The days of phrenzied and ingenious scheming are numbered, and our future measures, whatever they may be, must be characterized by simplicity and by common sense, otherwise no manner of success can be expected.

The manner in which the accounts of the State have been kept, with reference to the internal improvement system, renders it extremely difficult to ascertain our true situation. The law heretofore has not required an account of the whole indebtedness to be kept in any public office at the seat of Government. A part of the information necessary to a knowledge of our true condition is to be obtained only at the canal office at Lockport, to which it has not been convenient for me to have access,

and another portion is attainable only from the various public agents engaged in negotiating loans. I have, therefore, but little confidence that the statement which I make will be entirely correct, though perhaps enough so for present practical purposes.

The whole amount of the State debt, excluding interest now due, may be put down at the sum of fifteen millions one hundred and eighty-seven thousand three hundred and forty-eight dollars and seventy-one cents; which sum, from the best information which I can obtain, appears to be composed of the following items:

| | |
|---|----------------|
| Bonds negotiated on account of the Canal, - - - | \$3,747,000 00 |
| Script and certificates of indebtedness issued to contractors by the Canal Board, - - - | 689,408 00 |
| Bonds negotiated on account of the system of internal improvements, - - - | 5,085,444 00 |
| Script issued to contractors on account of internal improvement, - - - | 929,305 53 |
| Bonds issued to and purchased by the State Bank on account of State stock, - - - | 1,765,000 00 |
| Bonds issued to and purchased by the Bank of Illinois on account of State stock, - - - | 900,000 00 |
| Bonds issued on account of the State House at Springfield, - - - | 121,000 00 |
| Due the Government of the United States, when called for, on account of surplus revenue deposited in the State Treasury, - - - | 477,919 00 |
| A portion of this sum, by act of the General Assembly, was added to the school fund, and consequently, by our present law, we are indebted to the school fund on that account in the sum of - - - | 335,592 00 |
| Due the school, college and seminary funds for moneys borrowed by act of the General Assembly to assist in paying the current expenses of the State, - - - | 472,492 18 |
| Due the State Bank of Illinois for paying Auditor's warrants and interest on the same, - - - | 294,190 00 |
| To the Bank of Illinois at Shawneetown on settlement, - - - | 369,998 00 |

Upon the whole of this sum, except so much as is due to the school, college and seminary funds, and so much as is due to the United States on account of surplus revenue deposited, interest is now due from the first day of July, 1841. It has hitherto been supposed, that the profits of the State stock in the two banks would be amply sufficient to pay interest, not only on the sum paid in bonds, amounting to two millions six hundred and sixty-five thousand dollars, but also on the further sum of three hundred and thirty-five thousand five hundred and nine-two dollars, part of the surplus revenue, first added to the school fund and then converted into bank stock. But the failure of those banks, and their present precarious situation, renders it almost certain that if we continue our connection with them the amount of bonds paid in will be nearly a total loss, and consequently that sum will form one of the demands upon which interest will have to be provided in future. Those banks have not for a long time past, so far as I am informed, declared or paid any dividends in favor of the State; consequently, the interest provided by law to be paid to the several counties on the sum of \$335,592, part of the surplus revenue added to the school fund, has formed a demand on the State Treasury and

has been paid out of the ordinary revenues derived from taxes. I cannot believe that it was the intention of former legislatures to make this a permanent demand upon the treasury, to be raised by taxation. It must undoubtedly have been supposed by our predecessors that the profits of banking would be fully sufficient to meet the appropriation. I, therefore, submit to the General Assembly whether the State is any longer bound to pay interest on that sum, unless it can be derived from the profits of the investment.

Many persons suppose, and I think with great probability, that an arrangement can be made with the two banks, by which the State can get back the two millions six hundred and sixty-five thousand dollars in bonds, which have been issued to them.

As the banks have not furnished the proper departments with the information from time to time, required by law, nor published any account of the state of their business, it is at present impossible to judge whether the assets of those institutions will, upon a final settlement, be more or less than the market value of our bonds. If those assets should amount to more than the market value of the bonds, so as to make it probable, that our bank stock would sell for more than our bonds, I would recommend a sale of the stock and with the avails purchase bonds to a greater amount. But I apprehend that our stock in those institutions could not be readily and advantageously sold. The State owns a majority of stock in both of the banks, and by law is entitled to only a minority of the directors. The minority in interest controls the majority. This being the case, it does not appear to me probable that this stock would be desirable to individual owners. In fact, by the fundamental error committed by our predecessors, in giving a majority of the directors to the private stockholders, the State stock has been rendered of little or no value to the State. I would, accordingly, recommend, if we can by any just arrangements with the banks, get back our funds invested without loss, that such an arrangement should be made. I feel further warranted in making this recommendation, by former experience of the disastrous attempts at State speculation, in which we always have been and always will be the losers. States and nations cannot possess the facilities and shrewdness in bargaining which characterize the business of sagacious individuals in their own affairs, and can never attempt it without being circumvented in a thousand ways, unforeseen and unprovided for by the Legislature.

If this arrangement can be made, the remaining indebtedness will amount to \$12,186,756 71, from which, if we exclude the sum of \$477,919, being the surplus revenue deposited in the treasury, and for which we are not as yet accountable, and probably never will be, we find the sum of \$11,608,837 71 of principal, upon which interest ought to be paid amounting annually to the sum of \$696,530.

I am happy to have it in my power, to announce to the Legislature and through them to the world, that there is no disposition, so far as I know, in any department of the government, or with the people of this State, to avoid the payment of this debt. Although the elections in August last were conducted with much warmth on the part of the candidates and people, not more than one or two individuals were found willing to offer their services upon the principles of repudiation; and those individuals were unsuccessful in their elections. Thus demonstrating beyond the possibility of a doubt that neither public nor individual honor and honesty are

extinct, but that as strong an attachment to the principles of justice, and as sound a state of moral feeling exists here as is to be found elsewhere.

Nevertheless, the magnitude of the debt and the failure on the part of the State to pay interest, have been attended by the most injurious consequences. Our people have been rendered unhappy, and look with alarm at the prospect before them. Many of them if possible would dispose of their property at a considerable sacrifice, with a view to emigration; another considerable portion at the north, for this reason, have desired to have their district of country annexed to Wisconsin Territory. Emigration to the State has almost ceased; our fellow citizens of other States, for want of proper information, have considered us as little better than a band of outlaws; individual and State credit have been destroyed, and our citizens when abroad, are made, by constant reproaches and insults, to feel the degradation of our condition.

And yet we have never repudiated. The last Legislature adopted measures, which they in good faith thought amply sufficient to meet all liabilities until the present time. They set apart a fund to pay the interest on interest bonds, and authorized the sale of those bonds at any price, for the purpose of raising money to pay accruing interest.

The measure was not a wise one, but it was adopted in good faith; and would probably have succeeded if the unforeseen scarcity and derangement in money matters, and the failure of the banks, upon which we partly relied, had not prevented it.

An enquiry of great interest to the people here presents itself to be made, which is, how is the money to be raised in future to pay interest? Can it be raised otherwise than by taxation? And if not, would justice and sound policy and the ability of the people justify immediate payment.

Two full years' interest will be due on the whole amount of debt, before the property belonging to the State can be sold or taxes collected. amounting to the sum of \$1,393,060. The exigencies of the State will require the further sum of \$135,968, to be raised from the taxes, to pay the current expenses of the government, making in the whole the sum of \$1,528,828 for the first year, and the sum of \$832,458 annually thereafter.

The means of payment without taxation consist in about four hundred and seventy thousand four hundred and sixty-seven acres of land, in various parts of the State; about two thousand one hundred and ninety-one town lots, on the line of the canal; the canal itself; the contemplated water power belonging to the canal; two mill seats on the Little Wabash river; fifty-five miles of finished railroad; various commencements of other railroads; railroad iron, and the State stock in the banks, if no arrangement can be made to recover the bonds held by them.

It is believed that the State stock and the unfinished railroads, would be nearly if not quite unsalable. The water power on the canal would be of no value before the work is completed; the town lots, also, mainly depend upon the completion of the canal for a marketable quality as well as value; the railroad iron is unsuitable for any other purpose, and, therefore, of little value in market; and the remaining property of the State, though valuable, could not be sold for cash, for a year or two to come, without incurring ruinous losses. Any sale of the canal or canal lands, or lots, before the completion of the work, would be impossible, for any just equivalent. The forced sale of all this property at this time, or for some time to come, would scarcely yield a sum sufficient to pay more than one

or two years' interest; leaving the principal debt and future interest a continuing demand upon the people.

The following considerations have operated forcibly on my mind, in bringing me reluctantly to the conclusion that payment in money at present, raised by taxation, is impossible.

1st. The taxable property in the State, by the assessment of 1841, amounted to \$69,831,419. About one and a half per cent. on this amount would have to be imposed, whereas, the people are scarcely able to pay the present tax of thirty cents on the hundred dollars.

2d. This tax would be in addition to the county taxes, amounting generally to the half of one per cent.

3d. The late census exhibits the fact, that there were in the State in 1841, 123,500 male inhabitants over the age of fifteen and under the age of fifty years. We know that our population has increased but little since that time; from which it is safe to infer that there are not more than eighty-five thousand able-bodied men, efficiently engaged in the production of the material which is to maintain themselves and the residue of population, and the surplus of which is to furnish the means from which the revenue is to be raised.

4th. The amount of good money in the State would scarcely exceed, and probably not equal, double the amount to be raised by taxation for a single year, and at least one half of this is confined in the banks, so as to be of no manner of use in our business.

5th. Our people are most generally engaged in agriculture, and whilst so employed, can never expect so great a proportion of money in circulation as is possessed by commercial and manufacturing districts. The cost in money of agricultural pursuits is less, and less is paid out in carrying them on, which accounts for the greater ability of commercial and manufacturing countries to raise money by taxation.

Thus we arrive at a conclusion of painful interest, that the State is not in a condition to fulfil its solemn engagements; and however mortifying it is to our pride, there is still one consolation, which is, that it has been produced by a want of ability, and not by a want of inclination. The main thing with which the world can justly reproach us is, that we were visionary and reckless; that without sober deliberation, we jumped headlong into ambitious schemes of public aggrandizement, which were not justifiable by our resources. Nor are our original creditors free from reproach, on the same account.

They as men of intelligence, sufficient for the proper management of large capital, ought as well as ourselves, to have foreseen our future want of ability, and the constant catastrophe which our common error has produced.

It is barely possible that a most rigorous system of oppressive taxation would yield a sum sufficient to pay interest for a single year. But such a tax could not be repeated.

The apprehension of it would spread consternation and alarm throughout the breadth of the land. Our citizens would sell their property at any sacrifice and leave us for some happier home. The whole world would avoid our shores as they would avoid certain destruction. We would depopulate the State of its present inhabitants, and prevent any future accession by alarming strangers abroad.

Under these circumstances, it appears to me, to be neither to the inter-

est of the people, nor solidly advantageous to our creditors, that we should make a violent and spasmodic exertion to raise money by taxation. If our creditors are ever to be paid, it will not be by the mere territory composing the State, nor by the abstract thing called State sovereignty, but by the people who may be here, the inhabitants of the land; and how are they to be paid if we depopulate our country?

Two causes have operated to prevent an increase of population for a year or two past; one is the prevalent fear of exorbitant taxes; the other the reproach to which we are subject abroad. The remedy for this is obvious. Let it be known in the first place that no oppressive and exterminating taxation is to be resorted to; in the second, we must convince our creditors and the world, that the disgrace of repudiation is not countenanced amongst us. That we are honest, and mean to pay, as soon as we are able. I would, therefore, recommend to the General Assembly to speak on this subject in the most decisive manner, so as to give every assurance, that in due time, we will tax ourselves according to our ability to pay our debts. The consequence will be, that our creditors, who are persons of power and influence, instead of reproaching us and getting up a moral crusade against us, as against a confederated band of unprincipled swindlers, with the view to coerce as to our duty, will be directly interested in doing us all the good in their power. They no doubt will exert themselves to send us substantial inhabitants, and will point out our fertile soil to all who may wish a new home in the west.

If this policy shall be adopted, it is believed that we may safely rely upon a vast and speedy increase of our numbers and wealth. The large extent of our territory, the variety of climate and production, and the unrivalled fertility of our soil, must, with the current of emigration again directed towards us, infallibly and speedily raise us from our present condition. In the mean time we are imperatively required to make every exertion and sacrifice consistent with self preservation, to keep the faith of the State. Let us offer to our creditors all that we have, at fair and reasonable prices, at least the forty-two thousand acres of land entered under the internal improvement system, together with two hundred and ten thousand acres donated to the State by the General Government, the railroads finished and unfinished, and all the property of the State pertaining to the railroad system.

It is believed that many of our creditors would receive this property at reasonable prices, and if so, a large amount of our debt would be immediately extinguished; if not, the lands will be continually increasing in value, and becoming more and more available as a resource in future.

The canal lands and lots and other property belonging to it, stand upon a different footing. This property was first given to the State in trust to make the canal. It was afterwards appropriated by the General Assembly to that specific object, and solemnly pledged to creditors for the payment of money heretofore borrowed, and which money has been used in the construction of the canal so far as it has proceeded. Those creditors, therefore, have such a separate and exclusive right to its avails, as would not without their consent, justify throwing it into an aggregate fund for a general payment of debt. If they should require it, we would be bound in duty and honor to surrender it to them. It is, however, believed that no such requisition will be made. They understand their true interest too well; they know as well as ourselves, the importance and profitable char-

acter of this great work, and would prefer looking to its probable completion, rather than an immediate sacrifice of the means of carrying it on, for ultimate payment. They must, and do understand, that if this property should be sacrificed, the State will have no means of payment for a long time to come; whereas if the canal progresses to completion, the lands and lots and water power will be quadrupled in value, and the tolls alone would in a short time pay interest on all the debt contracted for its construction.

In this view of the subject, it is manifestly for the interest of the people, as well as our creditors, that the work should progress to completion, if possible, before any of the canal lands or other property shall be sold, and it is equally the interest of all, that the work should not be abandoned, but prosecuted with all the energy and reasonable means in our power, as one of the surest and speediest measures tending to the extinguishment of our debt.

The sum of four millions eight hundred thousand dollars, or thereabouts, has already been expended on this work in its construction and in the payment of interest; seven hundred and fifty thousand five hundred and thirty dollars and forty-two cents of which has been raised by a sale of lands, lots, timber and stone. 10,580 acres of land were sold in 1830 for \$14,204 87; also, at the same time, 126 lots in Chicago and 9 lots in Ottawa, were sold for \$4,594. Since 1836, 40,295 acres have been sold for \$302,248 40; and about 189 lots in La Salle, Ottawa and Lockport, for \$77,793; stone and timber to the amount of \$9,659. And sales were made in Ottawa and Chicago in 1836, for which cash has been received to the amount of \$544,074 97; and there is now due the canal fund on account of sales, the sum of \$207,682 53.

In addition to this balance, the property belonging to the canal fund is as follows:—230,467 acres of land, 370 lots in Chicago, 679 in Lockport, 914 in Ottawa, 1528 in La Salle, other town property to be laid out at Juliet, Du Page and other places; and the water power on the entire line of the canal; the whole valued, by the acting canal commissioner, from whom these statistics were derived, at the sum of \$5,050,000. It is, however, due to the subject to state that this valuation is predicated upon the hypothesis that the canal is to be completed, or in sure prospect thereof.

This work has progressed nearly five-eighths towards completion, even according to the plan hitherto pursued of an enlarged canal, the deep cut through the summit level, mostly rock, and using the lake as a feeder. One of my predecessors in his message of December, 1834, recommended that a commencement should be made of a steamboat canal, and to use the waters of the lake as a feeder, thereby to improve the navigation of the Illinois river, and by increasing its current, probably render its shores more healthy. The example of New York was relied on, to show that we like her, if we commenced and finished a canal of a smaller size, in the first instance, would soon be compelled to enlarge it; it does not, however, appear to have occurred to the statesmen of that day, that the smaller canal was most suitable to our resources, and that if New York had proceeded to make her enlarged work in the first instance, in the infancy of her means, very probably her effort would have been as abortive as many persons fear ours has been. One thing is pretty certain, which is, that enough has already been expended to have finished a canal of moderate size, and sufficient for all the wants of the people for many years to come. But

such magnificent ideas had seized upon our imaginations, that moderation in any thing was out of the question. The project of a steamboat canal, of improving the navigation of the Illinois river, and rendering its shores more healthy, is alluded to only for the purpose of showing the inflated and bombastic notions prevailing at the time, which by bewildering and depraving the public intellect, finally led to the extravagances subsequently committed, in the way of railroads and other internal improvements. Of all the internal improvements authorized by former legislation, the canal was perhaps the only one which ought at the time to have been undertaken. The Congress of the United States had made a most munificent grant of lands, which we held in trust for this express purpose. Therefore, in prosecuting this enterprize we had means independent of taxes, so that our predecessors could not have been charged with extravagance of design, if their efforts had been confined to this one work.

It is confidently believed, that the residue of the work on this great enterprize can be completed, on the plan of a small high level canal, amply sufficient for the purposes of trade for years to come, and at a cost of one half less than the estimates for the plan heretofore pursued.

The cost of completing it, according to the original plan, is estimated at about \$3,000,000; whereas if one of a more moderate size, upon the high level plan, using the Des Plaines and Calumet rivers as feeders, should be adopted, the highest estimate would not exceed \$1,500,000.

It is freely conceded that the more magnificent plan hitherto pursued, is entirely the most captivating, and would be altogether preferred, if our resources were adequate thereto. But it is the present, or early use of the canal, which is most desired by the people. Providence bountifully crowns their labor with the greatest abundance; but the greater portion of them are restricted to a single and inadequate market. This communication would open another and a better market for three-fourths of the people of this State, and a large portion of those of Missouri and Iowa; and by withdrawing them from the southern mart, the residue of the produce, which is obliged to go there, would put a formidable rival out of its way. This is a consideration which ought to weigh heavily with that portion of the State which, from geographical position, seems least interested in the work. The early completion of the canal is also greatly to be desired, as the only present means of paying interest on the debt already incurred.

I, therefore, respectfully recommend to the General Assembly, that the further measures to be adopted for the prosecution of the work, should be upon the plan of a moderate sized high level canal. I am fully sensible of the great responsibility assumed by me, in making this recommendation; nothing but a full conviction of our inability to proceed with the enlarged work would justify a change of plan after it has progressed so far as it has. But, in view of our present and prospective want of credit and resources, it does seem that the enlarged work is not to be achieved by any means now in our power; and, indeed, it does seem that we are to choose between reduction, and no canal of any description.

It is a matter of great difficulty to hit upon the most appropriate means of further progress. Much diversity of opinion exists on this subject. I forbear, at this time, all comment upon the various plans proposed, but assure the General Assembly that it will afford me sincere pleasure to co-operate with the two Houses in any reasonable course of proceeding, which shall be thought to be most advisable. I reserve for a special message

some further suggestions upon this subject, in which it will be in my power to communicate more information than I now possess.

As it has already been stated, the school fund amounts to \$808,104 39, of this, \$335,592 21 is derived from the surplus revenue; \$415,575 52 from the three per cent. school fund, and \$56,917 66, from sale of seminary lands. It appears, also, that there is now due to the State on account of the three per cent. fund, the further sum of \$37,206 39; and \$41,909 35 appears to be coming to the State as our distributive share of the proceeds of the sales of the public lands. This latter sum, if received, the General Assembly can rightfully appropriate as the wants of the State may require, but the former is sacred to the purpose of education. It has been our former practice, on account of a deficiency of revenue, and too much fear of levying adequate taxes, to borrow this fund as it occurred, to pay the current expenses of government, and promise an interest of six per cent. to be distributed amongst the several counties. Good faith to ourselves, to the United States, from whom it is derived, and to the rising generation, created the most sacred obligation that this interest should have been punctually paid in good money. On the contrary, it has been paid for nearly a year past, in depreciated paper, and there is no provision by existing laws for paying it otherwise in future. It does seem, then, that if we find ourselves unable to make payment in cash or its just equivalent, it is little better than robbery to continue the system of borrowing, and a guilt but little less is contracted if we refuse to make provision for paying interest in good funds on the sum already borrowed. It is unfortunate that no system of revenue and expenditure has ever existed in this State; the appropriations have generally exceeded the revenue, and hence the necessity of borrowing the school fund as a means of paying current expenses. At this moment our domestic debt amounts to about \$313,089 19, and there is, of present means, about 12,117 28, in the paper of the two banks, in the treasury to pay it. Appropriations have been constantly voted without reference or enquiry as to the competency of the revenue to pay them; and thus we have been getting deeper and deeper in debt, as if our purpose were to subsist by expedients, and throw the burdens of present government upon future generations. It does seem to me that the main cause to which this want of system is to be attributed, is that our predecessors have not sufficiently confided in the reports of competent financial committees, who, from their position and the enquiries necessarily to be made by them, could survey the whole ground of revenue and expenditure. A reformation in this particular is absolutely essential to any advancement in correcting existing evils.

The State taxes for the year 1841 amounted to \$210,445, of which the sum of \$169,000 has been collected, the residue is to be accounted for, either as having been expended in collecting or allowed as credits for delinquencies of tax payers. The gross amount of revenue for 1842, will probable amount to \$240,000, of which, according to former precedent, \$210,000 may be collected. The expenditures of the State in 1841, amounted to \$236,442, and in 1842, \$135,494.

The present system of revenue is the most expensive and complicated which could well have been devised; more officers are employed in collecting than in any other State, and the compensation allowed them is unnecessarily high. No less than two officers, the Auditor and Treasurer,

at the seat of Government, and six others, consisting of an assessor and collector, clerks of the circuit and the county commissioners' court, and sheriff and printer for each county, are employed at an expense estimated as equal to twelve and one half per cent. upon the whole assessment. The cost of printing the delinquent list, alone, amounts to \$5,530 80. By abolishing the ceremony of carrying the delinquent list into the circuit court for judgment, the agency of one of the clerks, and the cost of several transcripts, could be dispensed with; and by requiring the whole duty of collection to be performed by either the sheriff or collector, the amount of compensation could be reduced.

The amount of expenditures, also, in every department of government is unnecessarily high, and appropriations have constantly been made which could have been dispensed with. The amount of salaries, if paid in good money, ought to be reduced. Many offices on the canal and railroad ought to be abolished. A greater amount of public printing and binding, than was absolutely necessary, has been ordered, and a higher price has been paid for the same than will be justified by the present worth and scarcity of money. Special appropriations have been made, for the last two years, which need not occur again in the next—for the State House, for furniture, for a library, for publishing reports, for rents, for portraits of Washington and Lafayette, for witnesses, contested elections, clerk hire, paper, taking the census, presidential election, and to various individuals, amounting to about \$51,000. These various reformations ought to reduce the expenditures for the next two years, about \$80,000.

The use of the State Bank, for fiscal purposes, by creating a necessity for paying interest on Auditor's warrants, has cost the State since 1837 about \$50,000, and we are now paying that institution, for acting as the treasury of the State, and for the privilege of using its depreciated paper, a sum varying between five and ten thousand dollars annually. Allow me respectfully to suggest that the desperate condition of the State, and the universal voice of our constituents, imperatively demand a reformation in all these particulars, and the practice of the strictest economy.

The state of the banks and of the currency will claim a large portion of your attention. These institutions have been allowed from time to time to suspend specie payments for most of the time since the summer of 1837. They have both become insolvent since the last session of the General Assembly, although no specie was demanded of them. All confidence in them has ceased, their notes have been greatly depreciated; and although the banks of the west and south-west have generally resumed, no day has yet been appointed for a resumption in this State. We have suffered all the evils of a depreciated paper circulation; the first of which is a great and sudden scarcity of money. The specie, which ought to be in circulation, is locked up in the banks; a large amount of the depreciated paper has been purchased up and held on speculation, and the residue, has just been sufficient to keep money of a better character from coming amongst us. Consequently we have been left without money; property has fallen unusually low in price, and the products of the farmer have been almost unsaleable. The question now is, whether bank suspension with all its attendant evils shall be further tolerated and permanently engrafted on our institutions as an article of settled policy. It is continually asked in the community, what will be done by the General Assembly to make our currency better? The answer is obvious; compel

the banks to resume specie payments. If they cannot resume, no measure short of legislating money into their vaults, will enhance the value of their paper.

I, therefore, recommend to the General Assembly to order a resumption of specie payments at an early day, and if the banks cannot comply, to provide for winding them up with the least possible delay and withdrawing their notes from circulation.

I am not prepared with information to state whether they can or cannot maintain a resumption; I will, however, venture the opinion, that neither of them will be in a condition to resume, unless their specie on hand should be nearly equal to their immediate liabilities. If they had been mere neighborhood banks, with a circulation confined to one or two counties, they might, by honesty and correct dealing, soon regain the public confidence, but these have been great and imposing institutions, with a circulation of \$4,500,000, scattered over the whole west and south. And it seems to me difficult to regain a confidence which has been lost in so great a district of country. It would be proper, at all events, for the General Assembly to make the most thorough and impartial examination into the state of their business, and upon a full knowledge of all facts, provide such a remedy as will relieve the country from the curse and blight of broken banks and their depreciated paper.

A great deal has been said about certain charters granted to the people of Nauvoo. These charters are objectionable on many accounts, but particularly on account of the powers granted. The people of the State have become aroused on the subject, and anxiously desire that those charters should be modified so as to give the inhabitants of Nauvoo no greater privileges than those enjoyed by others of our fellow-citizens.

There are many other subjects of great interest, such as the encouragement of education and agriculture, a general revision of the laws, and the establishment of an effective militia system, which might be alluded to; but to do justice to them, would make this communication too voluminous for the occasion. I have confined myself to a few great subjects of pressing and immediate interest, such as the public debt, the canal, the banks, the revenues, and to such reformatations as are absolutely necessary to restore the public credit and happiness.

If a sound currency can be restored, if the arrangement can be made with the banks for a return of our bonds, if upon any plan the canal can be finished, so as by the tolls and property belonging thereto, the people can be relieved of the debt incurred for its construction, and if we can so dispose of the residue of State property as to liquidate a reasonable amount of the remaining debt, we will have accomplished that which is of the most vital interest at present.

In conclusion, I beg you to be assured of my thorough disposition to co-operate with you in all measures calculated to advance the public welfare.

THOMAS FORD.

SPRINGFIELD, Dec. 8, 1842.

When the Senate returned to their Chamber, JOHN MOORE, Esq., Lieutenant Governor of the State of Illinois, appeared and having been con-

ducted to the Chair by Messrs. Warren and Parrish, addressed the Senate as follows:

Gentlemen of the Senate:

In taking charge of the responsible trust with which I have been honored by the suffrage of my fellow citizens, I am free to confess that difficulties present themselves to my view, and such too as would appear formidable, indeed, were I unacquainted with the members composing this honorable body.

But, gentlemen, fortunately for myself, I am acquainted with the spirit of forbearance that animates this Senate; the kindness and courtesy which its members extend towards each other, the desire manifested on all occasions for the observance of decorum and the rules which are adopted for its own government, and can, therefore, the more cheerfully enter upon the discharge of the duties assigned me.

The want of a perfect knowledge of parliamentary practice on my part, will doubtless occasionally lead to erroneous decisions; but should such occurrences arise, surrounded as I am by honorable Senators, who are advanced in years and of much experience, I can have no hesitation to submit cheerfully to your better judgment for their correction; and permit me to assure you that no case of intentional error shall arise.

Gentlemen, the situation of the country seems to require that harmony should prevail in its councils, and that the business of legislation should progress without unnecessary delay; and allow me to say that no effort shall be wanting on my part, to aid in the advancement of your labors; and I trust that, by our united exertions, the expectations of the people may be realized, and that the result of your deliberations may prove beneficial to their best interests.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 9, 1842.

Senate met pursuant to adjournment.

On motion of Mr. Ralston,

Resolved, That the following rules of the Senate be adopted, spread on the journal, and printed for the use of the Senate, to wit:

DUTIES OF THE SPEAKER.

1. He shall take the Chair every day precisely at the hour to which the Senate shall have adjourned on the preceding day; shall immediately call the members to order; and, on the appearance of a quorum, shall cause the journal of the preceding day to be read.

2. He shall preserve decorum and order; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the Senate by any two members; on which appeal no member shall speak more than once, unless by leave of the Senate.

3. He shall rise to put a question, but may state it sitting.

4. Questions shall be distinctly put in this form, viz: "As many as are of the opinion that (as the case may be) say Aye;" and, after the affirmative voice is expressed, "as many as are of the contrary opinion, say No." If the Speaker doubt, or a division be called for, the Senate shall divide: those in the affirmative shall first rise from their seats, and afterwards those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side, to tell the members in the affirmative; which being reported, he shall then name two others, one from each side, to tell those in the negative; which being also reported, he shall rise and state the division of the Senate.

5. The Speaker shall examine and correct the journal before it be read; he shall have a general direction of the Hall; he shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

6. All committees shall be appointed by the Speaker, unless otherwise specially directed by the Senate; in which case they shall be appointed by ballot; and if, upon such ballot, the number required shall not be elected by a majority of the votes given, the Senate shall proceed to a second ballot; in which a plurality of votes shall prevail, and in case a greater number than is required to compose or complete a committee shall have an equal number of votes, the Senate shall proceed to a further ballot or ballots.

7. In case of any disturbance or disorderly conduct in the lobby, the Speaker (or the Chairman of the Committee of the Senate) shall have power to order the same to be cleared.

OF DECORUM AND DEBATE.

8. When any member is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat, and address himself to "Mr. Speaker," (not moving on the floor,) and shall confine himself to the question on debate, and avoid personality.

9. If any member in speaking (or otherwise,) transgress the rules of the Senate, the Speaker shall, or any member may, call him to order; and in which case the member so called to order shall immediately sit down, unless permitted to explain; and the Senate, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the Senate.

10. When two or more members happen to rise at once, the Speaker shall name the member who is first to speak.

11. No member shall speak more than twice to the same question, without leave of the Senate; nor more than once, until every member choosing to speak shall have spoken.

12. While the Speaker is putting any question, or addressing the Senate, no member shall walk out of or across the room; nor in such case, or when a member is speaking, shall entertain private discourse; nor when a member is speaking, shall pass between him and the Chair.

13. Every member who shall be in the Senate when a question is put, shall give his vote, unless the Senate shall, for special reasons, excuse him.

14. When a motion is made and seconded, it shall be stated by the Speaker, or, being in writing, shall be handed to the Secretary, and read aloud before debate.

15. Every motion shall be reduced to writing, if the Speaker or any member desire it.

16. After a motion is stated by the Speaker, or read by the Secretary, it shall be deemed in the possession of the Senate, but may be withdrawn at any time before decision or amendment.

17. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition. A motion to adjourn shall always be in order, and shall be decided without debate; and a motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be deemed equivalent to its rejection.

18. No person shall be permitted to smoke in the Senate Chamber while in session.

19. After the Speaker has called the Senate to order on each day, there shall be no reading of newspapers or any other documents that do not immediately concern the business for which the Senate is convened.

20. The yeas and nays shall be taken when requested by any two members present.

21. Every bill which may be presented by any committee or member, shall be separately considered by the Senate, and shall not be passed into a law, until the same shall be read on three different days, unless, in case of urgency, three-fourths of the Senate shall deem it expedient to dispense with this rule.

22. It shall be the duty of the Secretary to keep a book, in which he shall seasonably record the motions, resolutions, rules, and decisions of the Senate; and to do and perform all such other acts appertaining to his office as may be required of him by the Senate or its presiding officer.

23. It shall be the duty of the Sergeant-at-Arms to attend the Senate during its sitting, to execute the commands of the Senate from time to time, together with all such process, issued by authority thereof, as shall be directed to him by the Speaker.

24. The following standing committees shall be appointed, with leave to report by bill or otherwise: a Committee on Elections; on the Judiciary; on School Lands and Education; on Internal Improvements; on Internal Navigation; on Public Roads; on Canal and Canal Lands; on Finance; on Public Accounts and Expenditures; on Military Affairs; on Salines and Saline Lands; on Petitions; on Public Buildings and Public Grounds; and on the Penitentiary.

25. Whenever a report or reports shall hereafter be made by a joint committee of the two Houses, immediately after the reading of such report it shall be transmitted to the other House, and being there read, or

its reading dispensed with, it shall be taken by the Clerk or Secretary to the House to which the report was first made.

26. All resolutions presented to the Senate shall lie one day on the table, unless otherwise ordered.

27. No resolution for any appropriation of money shall be passed until it shall have been referred to the committee on Retrenchment.

ORDER OF BUSINESS.

1. The reading of the Journal.
2. The presentation of Petitions.
3. Reports from Standing Committees.
4. Reports from Select Committees.
5. Presentation of Resolutions.
6. Introduction of Bills.
7. Reading Bills of the Senate the third time.
8. Reading Bills of the Senate the second time.
9. Reading Bills from the House of Representatives the third time.
10. Reading Bills from the House of Representatives the second time.
11. Messages from the House of Representatives.

And when the Senate shall have passed from one order to another, no action shall be had upon the orders passed, except by leave of the Senate; and to give this leave, three-fourths of the Senators present must concur.

On motion of Mr. Stapp,

Resolved, That the Auditor of Public Accounts be requested to report to the Senate, up to what period of time he has received abstracts of the lands entered at the several land offices in this State; and whether or not, he has furnished a complete list of all lands, entered as aforesaid, to the several clerks of the county commissioner's courts, as now required by law.

Mr. Pearson offered the following preamble and resolution:

Inasmuch as it has been represented by individuals, in and out of this State, that the State of Illinois is unwilling to pay her just debts, that she will repudiate her contracts; therefore,

Resolved by the General Assembly of the State of Illinois, That we now consider, and have as a people ever considered, all contracts, made in pursuance of law by our agents, where the consideration has been received, as valid and binding upon the people of Illinois; and that common honesty and the honor of the State demand a strict fulfilment on our part, in every particular, although circumstances unforeseen, and which now operate upon almost the whole monetary world, have placed it out of the power of our State to pay the interest on her obligations at the times and places agreed upon; which were,

On motion of Mr. Pearson,

Ordered To lie on the table.

The Speaker laid before the Senate a communication from the Secretary of State and Attorney General, made by them in compliance with a resolution of the Senate, requesting to be informed whether those officers had made a revision of the laws, agreeably to a law of the last session, and if not, the causes of their failure; which was read, and,

On motion of Mr. Parrish,

Said communication was referred to a select committee of five, with instructions to report a resolution for raising a joint select committee to digest the laws of Illinois, and report the same at as early a day as practicable.

Ordered, That Messrs. Parrish, Pearson, Baker, Ralston, and Cavarly be said committee.

On motion of Mr. Cavarly,

Resolved, That there be printed for the use of the Senate 5000 copies of the message delivered by his Excellency Governor Ford on yesterday to both Houses of this General Assembly.

Mr. Smith offered the following resolution:

Resolved, That the Auditor be requested to lay before the Senate the amount of bonds which have been sold, or in any manner passed out of the custody of the Fund Commissioners, or other agents or officers of the State, on which the consideration, in whole or in part, has not been received by the State; also, the dates and numbers of all such bonds, and to whom sold; which resolution was,

On motion of Mr. Smith,

Laid on the table.

The Speaker laid before the Senate the biennial report of the Treasurer; which was,

On motion,

Laid on the table, and 500 copies thereof ordered to be printed.

On motion of Mr. Leviston,

Ordered, That the communication received on yesterday from the Governor, Auditor and Treasurer, be taken up.

On motion of Mr. Leviston,

Ordered, That 2000 copies of the communication, except the accompanying documents, be printed for the use of the Senate.

The yeas and nays being ordered on this question,

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Davis, English, Evans, Feaman, Gillham, Harris, James, Leviston, Markley, Matteson, Parrish, Pearson, Ralston, Ryan, Slocumb, Vandeventer, Warren, Willbanks, and Wynne—23.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cullom, Davidson, Fithian, Harrison of Jo Daviess, Harrison of Sangamon, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Nunnally, Parker, Ruggles, Smith, Stapp, Thompson, Waters, and Worthington—21.

On motion of Mr. Parrish,

Ordered, That the following constitute an additional rule, and be printed as such:

"All resolutions presented to the Senate shall lie one day on the table, unless otherwise ordered."

Mr. Cavarly offered the following resolution:

Resolved, That a standing committee on printing be appointed, to direct the number of copies of any message, bill, or document, which may be ordered to be printed for the use of the Senate.

On motion of Mr. Ryan,

Ordered, That the vote taken upon printing 2000 copies of a communication from the Governor, Auditor, and Treasurer, be re-considered.

Mr. Pearson moved a call of the Senate; which was proceeded in for some time; when,

On motion of Mr. Stapp,

It was dispensed with.

The question was then again taken upon ordering the printing of 2000 copies of the communication; and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, English, Evans, Feaman, Harris, James, Leviston, Markley, Matteson, Parrish, Pearson, Ralston, Slocumb, Vandeventer, Warren, Willbanks, and Wynne—20.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cullom, Davidson, Davis, Dougherty, Fithian, Gillham, Harrison of Jo Daviess, Harrison of Sangamon, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Nunnally, Parker, Ruggles, Ryan, Smith, Stapp, Thompson, Waters, and Worthington—25.

On motion of Mr. Baker,

Ordered, That said communication be laid on the table.

A message from the House of Representatives, containing a joint resolution, having for its object the raising of a joint select committee to draft and report to the House of Representatives a memorial praying Congress to grant an additional quantity of land to aid in the construction of the Illinois and Michigan canal, was taken up; and,

On the question—"Will the Senate concur with the House of Representatives in the passage of said resolution?"

Mr. Hoard moved to amend the resolution, by adding after the word "subject," the following, to wit:

"In which memorial shall also be brought to view the propriety and utility of embracing within the grant of lands prayed for, the mineral or lead region of Illinois, and all the lands which have been reserved from sale in consequence of being known or supposed to have mines or minerals upon them, for the use of the State."

Mr. Dougherty moved to amend the amendment by adding the following, to wit:

"Also, the alternate sections of public lands lying contiguous to the line of the Central railroad, as now located from the southern termination of the Illinois and Michigan canal to the city of Cairo, at the mouth of the Ohio river, to be applied to the construction of the said railroad."

Mr. Ralston moved that the resolution and amendments be laid on the table; which motion was decided in the affirmative by yeas and nays.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Dougherty, Feaman, Gillham, Harris, Henry, Hoard, Killpatrick, Leviston, Matteson, Nunnally, Parrish, Ralston, Ruggles, Slocumb, Stapp, Thompson, Vandeventer, Warren, Willbanks, Worthington, and Wynne—24.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Cullom, Davis, English, Evans, Fithian,

Harrison of Jo Daviess, Harrison of Sangamon, James, Johnson, Markley, McMurtry, Minard, Parker, Pearson, Ryan, Smith, and Waters—20.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Speaker, in pursuance of a rule of the Senate, announced the following standing committees, to wit:

On Elections.—Messrs. Parrish, Feaman, Slocumb, Cullom, and Catlin.

On School Lands and Education.—Messrs. Davidson, Davis, Barnett, Crain, Parker, and Worthington.

On Internal Improvements.—Messrs. Leviston, Dougherty, Parrish, Hoard, and Cullom.

On the Judiciary.—Messrs. Ralston, Pearson, Cavarly, Baker, Dougherty, Davis, and Thompson.

On Internal Navigation.—Messrs. Harrison of Jo Daviess, Houston, Evans, Ryan, Worthington, and Waters.

On Public Roads.—Messrs. Parker, Feaman, Willbanks, Vandeventer, Waters, and Ruggles.

On Canal and Canal Lands.—Messrs. Ryan, Thompson, Warren, Henry, and Leviston.

On Finance.—Messrs. Matteson, James, Ralston, Cavarly, Stapp, and Minard.

On Public Accounts and Expenditures.—Messrs. Cavarly, Pearson, Markley, Hoard, Buford, Gillham, and Henry.

On Military Affairs.—Messrs. Warren, Harris, Feaman, Baker, McMurtry, Davis, and Harrison of Jo Daviess.

On Salines and Saline Lands.—Messrs. Slocumb, Houston, Parker, Wynne, Johnson, and Fithian.

On Petitions.—Messrs. Harris, Evans, Willbanks, Waters, and Smith.

On Public Buildings.—Messrs. Nunnally, James, Minard, Stapp, Buford, and Killpatrick.

On the Penitentiary.—Messrs. English, Catlin, Hoard, McMurtry, Smith, Gillham, Fithian, and Harrison of Sangamon.

On Counties.—Messrs. Barnett, Markley, Vandeventer, Killpatrick, Wynne, Harrison of Sangamon, and Walker.

On Incorporations.—Messrs. Dougherty, Vandeventer, Ralston, Baker, and Nunnally.

On Enrolled Bills.—Messrs. Crain and Nunnally.

On Retrenchment.—Messrs. Baker, Ralston, Nunnally, Harris, and Henry.

On motion of Mr. Baker,

Ordered, That there be a standing committee of the Senate, to be called the Retrenchment committee; and that the following constitute an additional rule of the Senate.

"No bill or resolution for any appropriation of money shall be passed, until it shall have been referred to the committee on Retrenchment."

Mr. Pearson offered the following resolution:

Resolved, That the committee on the Canal and Canal Lands be instructed to examine the laws in relation to the canal and canal lands, and see if any amendments can be made to them, so as to diminish the number of officers now employed; and if so, that the committee report, by bill or otherwise, all retrenchment that can be made, consistent with the advancement of the canal.

A bill for "An act to provide for the investigation of the State Bank," was taken up and read a second time.

On motion of Mr. Henry,

Ordered, That said bill be referred to the committee on Finance.

On motion of Mr. Parrish,

The Senate adjourned.

SATURDAY, DECEMBER 10, 1842.

Senate met pursuant to adjournment.

Mr. Fithian presented the petition of 1069 citizens of Vermilion county, asking the passage of a law regulating mill-dams in said county; the reading of which was,

On motion of Mr. Fithian,

Dispensed with, and the same referred to the committee on Internal Navigation.

Mr. Cavarly, from the committee on Finance, to which was referred a bill, entitled "An act to provide for the investigation of the State Bank of Illinois," reported the same back with an amendment.

Mr. Ralston moved to fill the blank in the eighth section of the amendment, with the word "four," and

Mr. Killpatrick to fill the same blank with the word "three."

The question was then taken on filling said blank with "four," and decided in the negative; and

On the question, "Will the Senate fill the blank with the word "three,"

It was decided in the affirmative.

Mr. Henry moved to strike out the word "penitentiary," wherever it occurs in the amendment, and insert in lieu thereof the words, "county jail of the respective county in which the investigation takes place."

Mr. Warren called for a division of the question.

Mr. Killpatrick moved to refer the bill and amendments proposed thereto, to a committee of the whole, and that they be made the order of the day for Monday next; which was,

On motion of Mr. Cavarly,

Laid on the table.

The question recurring, and being first taken upon striking out the word "penitentiary,"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Fithian, Henry, Killpatrick, Pearson, and Smith—7.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, English, Evans, Feaman, Gillham, Harris, Harrison of Jo Daviess, Harrison of Sangamon, Hoard, James, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—38.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the Senate in their amendment to the resolutions instructing the Illinois delegation in the Congress of the United States, to vote for a law providing for the payment of the fine, and interest thereon, imposed on Gen. Jackson, in 1815, by Judge Dominick A. Hall.

The House of Representatives have laid on the table the Senate's resolution, proposing the appointment of a joint select committee to inquire into the expediency of reducing the fees of officers, &c.

Mr. Cavarly offered the following amendment to the amendment reported by him.

Add after the word "Legislature," in the fifth section, the following, and strike out the remainder of the section:

"Within thirty days from the time the commissioners shall be qualified to office, at which time the per diem allowance of said commissioners shall cease."

Mr. Parrish moved to lay the bill and amendments on the table; which was lost.

The question was then taken on the amendment to the fifth section of the amendment reported by the committee, and decided in the affirmative.

On the question—"Will the Senate concur in the amendment reported by the committee on Finance," as amended,

It was decided in the affirmative.

Mr. Baker move to refer the bill as amended to the committee on the Judiciary; which was disagreed to.

The yeas and nays being desired,

Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Fithian, Harrison of Jo Daviess, Harrison of Sangamon, Henry, Johnson, Parker, Ruggles, Smith, Waters, and Worthington—12.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, English, Evans, Feaman, Gillham, Harris, Hoard, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parrish, Pearson, Ralston, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, Willbanks, and Wynne—32.

Mr. Ralston moved to dispense with the rule requiring certain bills and resolutions to be referred to the committee on Retrenchment; which was not agreed to.

The Chair decided that, under the rule of the Senate, the bill must go to the committee on Retrenchment; from which Mr. Ralston appealed.

Mr. McMurtry moved that the Senate adjourn to 2 o'clock; P. M.

Mr. Harrison of Jo Daviess, moved that the Senate adjourn.

The question was first taken on adjournment and lost.

On the question—"Will the Senate adjourn to 2 o'clock, P. M.,"

It was decided in the negative.

The question being taken, in reference to the bill before the Senate—

"Shall the decision of the Chair, committing said bill to the committee on Retrenchment, stand as the judgment of the Senate.

It was decided in the affirmative.

Mr. Baker moved that the Senate adjourn to 2 o'clock, P. M.

Mr. Davidson moved that the Senate adjourn.

The question was first taken on adjournment, and decided in the negative.

On the question—"Will the Senate adjourn to 2 o'clock, P. M.,

It was decided in the affirmative.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Warren,

Ordered, That the vote taken, on this morning, on referring the bill for "An act to provide for the investigation of the State Bank of Illinois," and amendments made thereto, to the committee on the Judiciary, be reconsidered.

On motion of Mr. Ralston,

Ordered, That the said bill and amendments, be laid on the table.

Mr. Ralston, from the select committee to which was referred a message from the House of Representatives, containing resolutions relative to the obtaining of books from the Library of the State by members of the General Assembly, reported the same back to the Senate, and recommended the passage of a bill entitled "An act concerning the State Library;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

Ordered, That the rules be suspended, and the said bill read a second time by its title.

Mr. Pearson moved the reference of the bill to the committee on the Judiciary; which was not agreed to.

Mr. Pearson moved to strike out the sixth section of the bill; which was not agreed to.

Ordered, that said bill be engrossed for a third reading.

On motion of Mr. Ralston,

Ordered, That the rule be suspended.

Said bill was then read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Parrish, from the select committee to which was referred the communication from the Secretary of State and Attorney General, with instructions, reported the same back to the Senate, with the following resolutions:

Resolved by the Senate, the House of Representatives concurring therein,

That a joint select committee of three on the part of the Senate, and five on the part of the House, be appointed to revise the laws of this State, with power to employ not exceeding two clerks. The revision to embrace all laws of a public nature, under the appropriate heads; all those relating to courts of justice, to schools, to attachments, to judgments and executions, to justices of the peace and constables, to sheriffs and coroners, to last wills and testaments and the administration of estates, to the militia, to practice in courts of law and in chancery, to evidence, to trials of the right of property, to public roads, and the criminal code, in one volume, with copious marginal notes and index; and all laws of a local and private nature, including acts of incorporation, in a separate volume, with marginal notes and index; and to report at some day as early as practicable during the present session.

Resolved, further, That the same committee report such amendments to the several laws of a public nature, included under the foregoing heads, as they in their judgment may deem necessary.

On motion of Mr. Stapp,

Ordered, That the rule be suspended and the resolution taken up.

Mr. Stapp offered the following amendment to the resolution:

Strike out the words "that a joint select committee of three on the part of the Senate, and five on the part of the House, be appointed," and insert in lieu thereof, the following:

"That there shall be elected at the present General Assembly, three persons, well skilled in the laws, whose duty it shall be."

Mr. Harris called for a division of the question.

The question being taken first on striking out, it was decided in the negative; and the resolution adopted.

Ordered, That Messrs. Parrish, Ralston, and Baker, be the committee on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Johnson offered the following preamble and resolutions, which lie one day on the table:

Whereas, the people of the State of Illinois, have become highly exasperated at the universal and impolitic powers granted by the last Legislature, in incorporating the city of Nauvoo, in "An act to incorporate the city of Nauvoo," also, an act entitled "An act to incorporate the Nauvoo Agricultural and Manufacturing Association, in the county of Hancock;" under, and by virtue of which, the Mormons have openly set at defiance the laws of the State of Illinois, by refusing to surrender Joseph Smith, the Mormon Prophet, upon the requisition of the Governor of the State, by arresting said Smith from the hands of the officers of this State, authorized to take him by legal process; and discharging him by a pretended trial before the municipal court of the city of Nauvoo, constituted by the provisions of the charter of said city: *And whereas,* as said Smith has openly traduced and vilified both the Governor of the State of Missouri, and Ex-Governor Carlin of Illinois, for their efforts to arrest and bring him to trial, upon a charge of a heinous and aggravated nature, setting at defiance their authority, and proclaiming through both the "Wasp" and "Times and Seasons," two newspapers printed in said city, that said Smith never should be given up, in obedience to the mandates of the law: *And*

whereas, such conduct is not only highly reprehensible, but a reproach upon the free institutions of this State; therefore,

Resolved, That it is the duty of the Legislature of this State, in obedience to the voice of the people of this State, to repeal both the charters incorporating the "city of Nauvoo," and the "Nauvoo Agricultural and Manufacturing Association in the county of Hancock."

Resolved, That the committee on the Judiciary be instructed to report a bill, as soon as practicable, repealing both the above named charters.

Mr. Cavarly offered the following, which lies one day on the table:

Resolved by the Senate, the House of Representatives, concurring herein, That a joint select committee of one from each judicial district, on the part of the Senate, and two from each judicial district on the part of the House, be appointed to district the State into seven Congressional districts; and that they report by bill.

Mr. Ralston offered the following order:

Ordered, That so much of the order entered on yesterday as requires bills, which make appropriations, to be referred to the committee on Retrenchment, be rescinded.

Ordered, That the rule be suspended requiring resolutions to lie one day on the table.

The question being taken on the adoption of Mr. Ralston's rescinding order,

It was decided in the affirmative.

Those who voted in the affirmative, are

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Dougherty, English, Evans, Gillham, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—29.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Feaman, Fithian, Harrison of Jo Daviess, Harrison of Sangamon, Henry, Johnson, Killpatrick, Ruggles, Smith, Stapp, Waters, and Worthington—16.

On motion of Mr. Dougherty,

Ordered, That the vote taken on yesterday, upon printing the communication of the Governor, Auditor, and Treasurer, be reconsidered.

Pending the question, whether the Senate would lay said communication on the table, and order the printing of 2000 copies of the same.

Mr. Crain moved that 4000, and

Mr. Ryan that 50 copies be printed.

Mr. Davidson called for a division of the question;

Which being taken, first upon laying the communication on the table, It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cullom, Davidson, Davis, Fithian, Gillham, Harrison of Jo Daviess, Harrison of Sangamon, Henry, Johnson, Killpatrick, Ruggles, Ryan, Smith, Stapp, Thompson, Waters, and Worthington—19.

Those who voted in the negative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Dougherty, English, Evans, Feaman, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry,

Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Slocumb, Vandeventer, Warren, Willbanks, and Wynne—26.

The question was then taken on printing 4000 copies, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Catlin, Crain, English, Feaman, Harris, James, Leviston, Markley, and Pearson—9.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davidson, Davis, Dougherty, Evans, Fithian, Gillham, Harrison of Jo Daviess, Harrison of Sangamon, Henry, Hoard, Johnson, Killpatrick, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—36.

The question recurring upon the original motion of Mr. Leviston, to order the printing of 2000 copies, it was taken, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Dougherty, English, Evans, Feaman, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Pearson, Ralston, Slocumb, Vandeventer, Warren, Willbanks, and Wynne—25.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cullom, Davidson, Davis, Fithian, Gillham, Harrison of Jo Daviess, Harrison of Sangamon, Henry, Johnson, Killpatrick, Minard, Ruggles, Ryan, Smith, Stapp, Thompson, Waters, and Worthington—20.

Mr. Killpatrick offered for adoption the following resolution, to wit:

Resolved, That the committee on the Judiciary be, and they are hereby requested, to report a bill for an act to amend an act entitled "An act to regulate the sale of property," so as to extend the benefits of said law to all contracts, judgments and executions now in existence, or hereafter to be created; and, also, to make such other alterations and amendments to said law as the exigencies of times demand, so as to secure the creditor, and prevent the sacrifice on the part of the debtor.

Mr. Slocumb offered for adoption the following resolution, to wit:

Resolved, That hereafter all reports made in writing, either from a standing or select committee, be not entered upon the journal of the Senate; but that the same be printed in the volume of reports, and distributed with the journals.

Which resolution, according to the rule, lies on the table one day.

Mr. Gillham offered for adoption the following resolution, which according to the rule, lies on the table one day, to wit:

Resolved, That the committee on Finance be instructed to examine the different departments of government, how many officers there are, and what there salaries are, and see if the number of officers cannot be reduced, and a reduction of salaries, also, and that they report by bill or otherwise.

Mr. Stapp offered for adoption the following resolution, which, according to the rule, lies on the table one day, to wit:

Resolved, That the committee on the Judiciary be instructed to enquire

into the expediency of repealing all laws authorizing and requiring clerks of the circuit courts of the several counties in this State to charge a docket fee of \$5 00 in each suit, in which the title to lands shall come in question, and the docket fee of \$2 50 in each suit, where the title to lands does not come in question, and the docket fee of \$5 00 in each chancery suit, and that they report by bill.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and the bill for "An act to appoint bank commissioners, and defining their duties," was taken up. The question pending, when the bill was laid on the table, was on referring said bill to the committee on the Judiciary, and

On the question—"Shall the bill be referred to the committee on the Judiciary," it was decided in the negative, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Fithian, Henry, Johnson, Parker, Ruggles, and Smith—8.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davidson, Davis, Dougherty, English, Evans, Feaman, Gillham, Harris, Harrison of Jo Daviess, Harrison of Sangamon, Hoard, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parrish, Pearson, Ralston, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—37.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the affirmative, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, English, Feaman, Gillham, Harris, Harrison of Jo Daviess, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—23.

Those in the negative, are,

Messrs. Baker, Fithian, Harrison of Sangamon, Henry, Johnson, Killpatrick, Pearson, Ruggles, Smith, Stapp, and Worthington—12.

Introduction of bills being in order,

Mr. Warren introduced "a bill to confine justices of the peace and constables to their respective districts in all civil cases;" which was read the first time, and

Ordered to a second reading.

Mr. Parker moved that the rule of the Senate be dispensed with, and that the bill be now read a second time by its title; which was not agreed to.

The Speaker laid before the Senate a communication from the Auditor, in answer to a resolution of the Senate requesting him to report to the Senate up to what period of time he had received abstracts of the lands entered at the several land offices in this State, and whether he had furnished a complete list of such entries to the clerks of the several county commissioners' courts, as now required by law; which was,

On motion of Mr. Stapp,

Ordered to lie on the table.

Mr. Wynne asked and obtained leave to introduce a bill for "An act

permanently locating the county seat of Mason county," which was read, and

Ordered to a second reading.

Mr. Wynne moved that the rules be dispensed with, and the bill be read a second time by its title; which was disagreed to.

The Speaker laid before the Senate a communication from the President of the State Bank of Illinois, with an accompanying statement of the condition of that bank and its branches, on the first day of the present month; which were read, and,

On motion of Mr. Parrish,

Laid on the table.

The Speaker laid before the Senate a communication from the cashier of the Bank of Illinois, with a statement of the condition of that institution and its branches on the 12th November, ultimo; that date being the latest report from the branches; which were read, and,

On motion of Mr. Stapp,

Laid on the table.

Mr. Speaker laid before the Senate, the biennial report of the Auditor of Public Accounts; the reading of which was,

On motion of Mr. Davidson,

Dispensed with, and laid on the the table, and five hundred copies ordered to be printed.

On motion the Senate adjourned.

MONDAY, DECEMBER 12, 1842.

Senate met pursuant to adjournment.

Mr. Henry offered for adoption the following resolution; which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That a joint select committee of five, consisting of two from the Senate, and three from the House, be appointed to confer with the president, directors and company of the State Bank of Illinois, and to adjust all claims and accounts unsettled between the bank and State, preparatory to a dissolution of all connection between the State and the bank, and that said committee report by bill or otherwise.

Mr. Parker offered for adoption the following resolution; which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That the two Houses of the General Assembly will meet in the Hall of the House of Representatives, on Thursday, the 15th instant, at 2 o'clock, P. M., for the purpose of electing a Senator to the Congress of the United States of America, to serve for six years from the fourth day of March next.

Mr. Vandeventer offered for adoption the following resolution; which lies one day on the table:

Resolved, That so much of the Governor's message as relates to the public revenue, and its mode of collection, be referred to the committee on Finance, with instructions to inquire into its best mode of collection,

and whether many of the officers employed may not be dispensed with, and the expense greatly reduced, and that they report by bill or otherwise.

Mr. Smith offered for adoption the following resolution; which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to inquire into the justice and expediency of providing by law for the application of the provisions and penalties contained in the tenth and eleventh sections of the act entitled "An act making provisions for organizing and maintaining common schools," approved February 20th, 1841, to the cutting or destruction of timber on lands owned by individuals in this State.

Mr. Killpatrick offered for adoption the following resolution; which lies one day on the table:

Resolved, That so much of the Governor's message as refers to the State debt and interest on the same, be referred to the committee on Finance.

Mr. Pearson offered for adoption the following resolution; which lies one day on the table:

Resolved, That so much of Governor Ford's inaugural message as refers to the act of incorporation of Nauvoo, be referred to the committee on the Judiciary, with powers to inquire into the extent and privileges sought to be conferred by that act; also, to inquire into the powers given to other incorporations in this State, and report if any part of the Nauvoo or other charters are in conflict with the Constitution of the State; and if so, to report, by bill or otherwise, a modification or repeal of them.

Mr. Nunnally offered for adoption the following resolution; which lies one day on the table:

Resolved by the Senate, That the Auditor of Public Accounts be requested to report to the Senate an abstract of the quarterly reports made to his office, since the last session of the Legislature, by the Secretary of State and Treasurer, relative to the State House; also, any information he may possess in relation to the same subject.

Mr. Markley offered for adoption the following preamble and resolution; which lie on the table one day.

Whereas, Henry Fitch, of Peoria county, commenced an action of trespass against John W. Ingersoll, and Eugene and John Snider, and Benjamin Rawalt, as contractors, for damages done by excavation on section 8, of the Peoria and Warsaw railroad, and obtained judgment in the Peoria circuit court for the sum of \$2300 and costs of suit: *And whereas*, said defendants were acting under the laws and authority of this State, and for the use and benefit of the State, in the commission of said trespass; therefore,

Resolved, That the committee on Finance be instructed to inquire into the validity and justice of said claim for remuneration, and that they report by bill or otherwise.

Mr. Ruggles offered for adoption the following resolution; which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to report a bill so to amend the laws of this State regulating elections, as that in all future elections for Governor, Lieutenant Governor, members of the General Assembly, representatives in Congress, Presidential electors, and

all county officers that may be elective, the electors shall be required to vote by ballot.

The introduction of bills being in order,

Mr. Crain introduced a bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties in this State,' " approved February 26, 1841; which was read the first time, and

Ordered to a second reading.

Mr. Smith introduced a bill for "An act to amend an act entitled 'An act concerning public roads,' " approved February 20, 1841; which was read the first time, and

Ordered to a second reading.

Mr. Thompson introduced a bill for "An act to incorporate the Peoria water company;" which was read the first time, and

Ordered to a second reading.

Mr. Pearson introduced a bill for "An act to repeal certain laws;" which was read the first time, and

Ordered to a second reading.

Mr. Pearson's resolution, relative to the reduction of officers on the Illinois and Michigan canal, was taken up and adopted.

The resolution introduced on Saturday last by Mr. Smith, calling on the Fund Commissioner for certain information relative to the sale of bonds, &c., was taken up and adopted.

The preamble and resolutions introduced by Mr. Johnson on Saturday last, relative to the repeal of the act incorporating the city of Nauvoo, &c., were taken up.

Mr. Baker moved to amend the preamble and resolutions, by striking out the preamble, and after the word "Resolved" inserting the following, viz:

"That the committee on the Judiciary be instructed to examine whether in their opinion any of the municipal charters of towns and cities in this State require alteration or amendment, and if they shall believe any such alteration or amendment necessary, to introduce a bill accordingly.

On motion of Mr. Cavarly,

The preamble, resolutions and proposed amendments, were referred to the committee on the Judiciary.

The resolution introduced by Mr. Cavarly to district the State of Illinois into seven Congressional districts, was taken up and adopted.

Ordered, That Messrs. Cavarly, Evans, Parrish, Davidson, Davis, Minard, Hoard, Cullom and Ruggles be that committee.

Ordered, That the Secretary inform the House of Representatives thereof and ask their concurrence therein.

The resolution introduced by Mr. Killpatrick on Saturday last, requesting the committee on the Judiciary to report a bill regulating the sale of property, &c., was taken up and adopted.

The resolution introduced by Mr. Slocumb on Saturday last, relative to the disposition of reports made from standing committees &c., was taken up and adopted.

The resolution introduced by Mr. Gillham on Saturday last, instructing the committee on Finance to inquire into the expediency of reducing the salaries of officers &c., was taken up, and,

On motion of Mr. Ralston,

Referred to the committee on Public Accounts and Expenditures.

The resolution introduced on Saturday last by Mr. Stapp, instructing the committee on the Judiciary to inquire into the expediency of repealing all laws authorizing clerks of the circuit courts to charge docket fees, &c., was taken up and adopted.

Mr. Cavarly offered for adoption the following resolution:

Resolved, That the Governor, Ex-Governor, Judges of the Supreme Court, the Judge of the District Court of the United States, and Members and Ex-Members of Congress, be permitted to take seats within the bar of the Senate during its sittings.

On motion,

The rule requiring resolutions to lie one day on the table, was suspended, and said resolution adopted.

Senate bill for "An act permanently locating the county seat of Mason county," was taken up, the rule requiring it to be read a second time suspended, and the same read a second time by its title, and,

On motion of Mr. Baker,

Referred to the committee on Counties.

Senate bill for "An act to confine justices of the peace and constables to their respective districts in all civil cases," was taken up, read a second time, and,

On motion of Mr. Stapp,

Referred to the committee on the Judiciary.

Mr. Killpatrick, on leave given, introduced a bill for "An act to legalise the sale of land for taxes in the county of Scott;" which was read, and

Ordered to a second reading.

On motion of Mr. Hoard,

That part of the message from the House of Representatives containing a resolution concerning a reference to a joint select committee of that portion of Governor Carlin's message relating to a memorial to Congress for a further grant of lands to aid in the construction of the Illinois and Michigan canal, was taken up; when,

Mr. Hoard, withdrawing his former amendment to said resolution, offered the following instead thereof:

After the word "subject," in the second line from the bottom of said resolution, insert the following:

"In which memorial shall also be brought to view the justice and propriety of embracing within the cession, for the use of the State, such lands within the boundaries of Illinois, as are generally designated the mineral or lead region; and, also, such other lands within the State as have been reserved from sale in consequence of being known or supposed to have mines and minerals upon them.

On motion of Mr. Ralston,

The resolution, and the several amendments proposed thereto, were referred the committee on Canal and Canal Lands.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Nunnally,

Leave of absence for six days was granted to Mr. Harris.

Mr. Ralston asked and obtained leave to introduce a bill for "An act to authorize the Governor to appoint State's Attorneys;" which was read the first time, and

Ordered to a second reading.

Mr. Ralston moved to suspend the rule and read the bill a second time by its title; which was not agreed to.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following preamble and resolution:

Whereas, it is deemed advisable to dissolve the connection now existing between the State and the State Bank of Illinois, and the Bank of Illinois: *And whereas*, it is believed that such dissolution will prove equally advantageous both to the State and said banks; therefore,

Resolved by the General Assembly of the State of Illinois, That his Excellency Gov. Ford, assisted by the Auditor of Public Accounts and the Fund Commissioner, be authorized and requested forthwith to enter into negotiations with said banks or their authorized agents, for the purpose of ascertaining upon what terms an amicable dissolution between the State and said banks can be effected, and for the purpose of obtaining such other information as may be useful in relation to this object; and that said officers be requested to communicate to this House, at their earliest convenience, the result of their correspondence with said banks, respectively.

The foregoing message from the House of Representatives was taken up for consideration.

On motion of Mr. Cavarly,

The resolution was amended by striking out the word "this," and inserting in lieu thereof the word "each."

The question was then taken on concurring with the House in the adoption of the resolution, as amended by the Senate, and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 13, 1842.

The Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred in the Senate's amendment to the

resolution of the House, recommending a correspondence by certain officers with the State Bank of Illinois and Bank of Illinois, in relation to an amicable dissolution of the connection now existing between those banks and the State.

They have passed bills of the following titles:

A bill for "An act for the permanent location of the county seat of Lake county;"

A bill for "An act in relation to the State Bank of Illinois and Bank of Illinois."

In the passage of which they ask the concurrence of the Senate.

Mr. Parker presented the petition of Samuel Wilburn, praying the General Assembly to make provision for paying him the amount of a certain judgment and costs; the reading of which was dispensed with, and the same,

On motion of Mr. Parker,

Referred to the committee on Public Accounts and Expenditures.

Mr. Wynne presented the petition of sundry citizens of Mason county, in relation to their county seat; the reading of which was dispensed with, and the same,

On motion of Mr. Wynne,

Referred to the committee on Counties.

Mr. Slocumb, from the select committee appointed to examine the credentials of all members of the Senate elected since the passage of the last law apportioning the Senators and Representatives of this State, &c., made a report; which was read, and,

On motion of Mr. Dougherty,

Laid on the table, and ordered to be printed.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That both Houses will meet in the Hall of the House of Representatives, on Saturday the 17th instant, at 2 o'clock, P. M., and proceed to the election of a United States Senator.

In the passage of which they ask the concurrence of the Senate.

On motion of Mr. Warren,

Ordered, That the vote taken on printing the report of the select committee, appointed to examine the credentials of members of the Senate elected since the last apportionment, &c., be re-considered.

On motion of Mr. Ralston,

Ordered, That said report be re-committed to the same select committee.

Mr. McMurtry offered for adoption the following resolution; which lies one day on the table.

Resolved by the Senate, the House of Representatives concurring herein, That our Senators in Congress be instructed, and our Representatives requested, to use their exertions for the repeal of the bankrupt law at as early a day as possible.

Resolved, That the Governor be requested to transmit the above resolution to each of our Senators and Representatives in Congress.

The introduction of bills being in order,

Mr. Cavarly introduced a bill for "An act to amend 'An act regulating the sale of property;'" which was read, and

Ordered to a second reading.

Mr. Davidson moved that the rules be dispensed with, and the bill be now read a second time by its title; which was not agreed to.

On motion of Mr. Warren,

The message from the House of Representatives, containing a resolution in relation to the election of a United States Senator, was taken up, and

On the question—"Will the Senate concur with the House of Representatives in the adoption of the resolution?"

It was decided in the affirmative.

Ordered, That the Secretary acquaint the House of Representatives therewith.

On motion of Mr. Ralston,

Ordered, That the rules be suspended, so as to permit a select committee to report.

Mr. Slocumb, from the select committee to which was re-committed a report made by him to-day, reported the same back without amendment.

On motion of Mr. McMurtry,

Ordered, That said report be laid on the table and printed for the use of the Senate.

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 14, 1842.

Senate met pursuant to adjournment.

Mr. Minard presented the petitions of sundry citizens of the town of St. Charles, in Kane county, praying for the alteration of a street therein named; the reading of which was dispensed with,

On motion of Mr. Stapp,

And the same referred to the committee on Public Roads.

The Speaker laid before the Senate a communication from the Public Printer, made by him in compliance with "An act supplementary to an act defining the duties of Public Printer," &c., which was read, and,

On motion of Mr. McMurtry,

Referred to the committee on Public Accounts and Expenditures.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have concurred with the Senate in the passage of the bill for "An act concerning the State Library."

The House has already concurred with the Senate's resolution, raising a joint select committee for the purpose of laying off the State into Congressional districts, and have appointed,

Messrs. Manning, McClernand, Busey, Smith of Crawford, Horney, Dougherty, Glass, Whitten, Cloud, Vinyard, Spicer, Gregg, Jackson of

Whiteside, Hannaford, Scott, Madden, Stewart, and Blakeman, the committee on their part.

Mr. Ryan, from the committee on Canal and Canal Lands, to which was referred the message from the House of Representatives, containing a resolution from that body on the subject of a memorial to Congress, for a further donation of lands, to aid in the completion of the Illinois and Michigan Canal, together with sundry amendments, reported the same back to the Senate, and recommended the adoption of the resolution without amendment; which was read.

Pending the question on the adoption of the amendment offered by Mr. Dougherty to the amendment offered by Mr. Hoard, to the resolution above referred to, Mr. Dougherty withdrew his amendment; when,

On motion of Mr. Harrison of Jo Daviess,

The amendment offered by Mr. Hoard was laid on the table.

Mr. Dougherty offered the following amendment to said resolution, to be inserted therein, after the word "subject," in the second line from the bottom:

"Also, a like memorial, praying for the alternate section of public lands lying contiguous to the line of the Central railroad, as now located from the southern termination of the Illinois and Michigan Canal, to the city of Cairo, at the mouth of the Ohio river, to be applied to the construction of the said railroad."

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted a memorial to Congress, praying the passage of a law granting pre-emption rights of 240 acres to each head of a family, extending to fifteen years, and donations of 80 acres to each head of a family.

In which they ask the concurrence of the Senate.

Mr. Henry moved to lay the resolution above referred to, and the amendment offered thereto, on the table; which was not agreed to.

Mr. Dougherty moved a call of the Senate, pending the question upon the adoption of his amendment.

On motion of Mr. Ralston,

Ordered, That the rules be dispensed with, so as to permit the presentation of a petition.

Mr. Ralston presented the petition of many ladies of Springfield, asking the use of the Senate chamber for one evening, for the purpose of holding a fair therein; which was,

On motion of Mr. Ralston,

Laid on the table,

Ordered, That the rules be dispensed with, so as to permit him to offer a resolution now.

Mr. Ralston offered the following resolution, which was adopted, the rule requiring it to lay one day on the table, having been, on his motion, dispensed with:

Resolved, That in compliance with the request of the benevolent ladies of Springfield, the use of this Hall be tendered to them on the evening of the 22d inst., for the purpose of holding a fair therein; the proceeds whereof to be applied to the completion of a spacious edifice in Spring-

field, for the worship of Almighty God: *Provided*, the grant of the use of this Hall, as aforesaid, shall not in any way interfere with the regular sessions of the Senate.

On motion of Mr. Stapp,

The further proceedings under the call of the Senate were dispensed with.

The question was then taken on the adoption of the amendment proposed by Mr. Dougherty, to the resolution of the House, and decided in the affirmative, by yeas and nays, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Crain, Cullom, Davidson, Dougherty, English, Evans, Feaman, Harrison of Jo Daviess, Hoard, James, Johnston, Leviston, Matteson, Parker, Parrish, Pearson, Ryan, Warren, Waters, Willbanks, and Worthington—23.

Those who voted in the negative, are,

Messrs. Barrett, Buford, Catlin, Davis, Fithian, Gillham, Harrison of Sangamon, Henry, Houston, Killpatrick, Markley, McMurtry, Minard, Nunnally, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Wynne—22.

The question was then taken on concurring with the House of Representatives in the adoption of the resolution, as amended by the Senate, and decided in the affirmative, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Dougherty, English, Evans, Feaman, Fithian, Gillham, Harrison of Jo Daviess, Harrison of Sangamon, Hoard, Houston, James, Johnson, Leviston, Markley, Matteson, Nunnally, Parker, Parrish, Pearson, Ralston, Ryan, Slocumb, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—36.

Those who voted in the negative, are,

Messrs. Davis, Henry, Killpatrick, McMurtry, Minard, Ruggles, Smith, Stapp, and Thompson—9.

Ordered, That Messrs. Ryan and Dougherty be the committee on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Johnson offered for adoption the following resolution, which lies on the table one day:

Resolved, That the committee on Retrenchment be instructed to ascertain as near as may be the amount necessary to defray the current expenses of the Government for the present year; also, the amount of taxes levied for the year 1842, and to report a bill to release the excess over and above what is necessary to defray the current expenses of the government for the present year, with such incidental expenses as are indispensably necessary; requiring the Auditor of Public Accounts to issue his

proclamation, directing the several collectors of this State, to collect so much of the several tax-payers as shall be fixed upon in said bill; also, to report a bill to reduce the salaries and fees of public officers, including the pay of members of the Legislature and county officers, in proportion to the diminution in the price of every thing else; also, to report a bill to reduce the taxes to the lowest point that the public service will permit, with the indispensable incidental expenses.

Mr. Cullom offered for adoption the following resolution, which lies on the table one day:

Resolved, That so much of the Governor's message as recommends a change in the plan of constructing the Illinois and Michigan Canal, be referred to the committee on Canal and Canal lands, and that they be required to report by bill or otherwise.

Mr. Killpatrick offered for adoption the following preamble and resolution, which lie on the table one day.

Whereas, There is no law to be found in the statute of this State to punish the crime of incest; therefore,

Resolved, That the committee on the Judiciary be instructed to report a bill for an act to punish, with rigor and severity, the commission of this horrid crime.

Mr. Nunnally offered for adoption the following resolution, which lies on the table one day:

Resolved by the Senate, That the committee on Finance be requested to inquire into the expediency of bringing into market, under proper and necessary restrictions, a portion of the lands or other property, or both, owned by the State, for the purpose of redeeming internal improvement scrip, and that they report by bill or otherwise.

Mr. Parrish offered for adoption the following resolution, which lies one day on the table:

Resolved, That so much of the Governor's message as relates to taxes be referred to the committee on Finance; that so much as relates to internal improvement be referred to the committee on internal improvement; so much as relates to interest on State bonds to the committee on Retrenchment; so much as relates to the lands of the State to the committee on Public Accounts and Expenditures; so much as relates to the school fund to the committee on the Judiciary; so much as relates to the Mormon charter to the committee on Corporations; and so much as relates to elections to the committee on Elections.

Mr. Cullom offered for adoption the following resolution, which lies one day on the table:

Resolved, That so much of the Governor's message as recommends the sale of the public property of the State, be referred to the committee on Finance, and that they be required to report by bill or otherwise.

Mr. Ralston offered for adoption the following resolution, which lies on the table one day:

Resolved, That the rule of the Senate, which requires all resolutions to lie on the table one day, be rescinded.

Mr. Stapp offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of passing a law authorizing and allowing

persons to confess judgment upon all debts *bona fide* due, and that the clerks of the circuit courts be authorized to enter up judgment in the same manner as though the court was in session; and that, in all cases, the individual confessing judgment shall be required to take and subscribe an oath or affirmation, that the amount upon which he is about to confess judgment is a debt honestly due to the individual or individuals, or assigns, in whose favor judgment is confessed, and that judgment is not confessed or asked to be entered for the purpose of defrauding any creditor or creditors; and that they report by bill or otherwise.

Mr. Pearson offered for adoption the following resolution, which lies one day on the table:

Resolved, That the laws in relation to landlords and tenants be referred to the Judiciary committee, with instructions to report a bill repealing all laws giving landlords advantages and privileges over their tenants not given in the case of other contracts, so that all creditors may hereafter stand upon equal footing, unless regulated and agreed upon by the contracting parties themselves.

Mr. Killpatrick introduced a bill for "An act to amend the laws of this State in relation to duelling;" which was read the first time, and

Ordered to a second reading.

Mr. Ryan introduced a bill for "An act relating to the recording or registering of conveyances, or other instruments in writing, executed out of the State and within the United States;" which was read the first time, and

Ordered to a second reading.

The engrossed bill for "An act to appoint bank commissioners, and defining their duties;" was read the third time, and,

On motion of Mr. Cavarly,

The blank in the eighth section was filled with the word "two."

Mr. Buford moved to re-commit the bill to the committee on Finance.

Mr. Davis moved that the bill be laid on the table and printed; which was decided in the affirmative, by yeas and nays, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davidson, Davis, English, Fithian, Harrison of Sangamon, Henry, Hoard, Houston, Johnson, Killpatrick, Matteson, McMurtry, Parker, Ruggles, Slocumb, Smith, Stapp, Thompson, Waters, and Worthington—24.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Dougherty, Evans, Feaman, Gillham, James, Leviston, Markley, Minard, Nunnally, Parrish, Pearson, Ralston, Ryan, Vandeventer, Warren, Willbanks, and Wynne—20.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

The Speaker laid before the Senate a communication from the Governor on executive business.

On motion of Mr. Davidson,

The communication was acted upon with open doors,

Whereupon,

The Speaker laid before the Senate the following communication, viz:

EXECUTIVE DEPARTMENT,
Springfield, December 14, 1842.

To the Senate of the State of Illinois:

In pursuance of the third and sixth sections of "An act to provide for the election of justices of the peace in Naples and Meredosia, and for the appointment of certain notaries public," approved, Feb'y. 1, 1839, I nominate to the Senate Solomon Parsons to be notary public for the town of Griggsville, in Pike county, in place of Osias M. Hatch, who has removed from said town, and thereby vacated his office, as it appears by the annexed certificate of Alexander Starne, one of the representatives of said county.

I have the honor, &c.

THOMAS FORD.

I do hereby certify that Osias M. Hatch, a resident of Pike county, has removed from the town of Griggsville to that of Pittsfield, the county seat of said county.

ALEXANDER STARNE.

SPRINGFIELD, DEC. 15, 1842.

Mr. Worthington moved that the Senate do now advise and consent to the nomination of Solomon Parsons, to be notary public for the town of Griggsville, in Pike county; which was agreed to.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 15, 1842.

Senate met pursuant to adjournment.

Mr. Harrison of Jo Daviess presented the petition of sundry citizens of Jo Daviess county, praying for a license to William and Vincent C. Smith to keep a ferry, the reading of which was,

On motion of Mr. Harrison of Jo Daviess,

Dispensed with, and the same referred to the committee on Incorporations.

Mr. Crain, from the committee on Enrolled Bills, reported as correctly enrolled "An act concerning the State Library," and that he had on this morning laid the same before the Council of Revision.

Mr. Ralston offered for adoption the following resolution, which lies on the table one day, viz:

Resolved by the Senate, the House of Representatives concurring herein That our Senators in Congress be instructed, and our representatives earnestly requested, to use their best exertions to procure a repeal of all such parts of the act of Congress, approved on the 4th of September, 1841, entitled "An act to appropriate the proceeds of the sales of public lands, and to grant pre-emption rights," as authorize a distribution of the proceeds of public lands among the several States.

Mr. Stapp offered for adoption the following resolution, which lies on the table one day:

Resolved, That the Governor be requested to report to the Senate, as

early as practicable, the quantity of lands selected under the law of Congress providing for the distribution of the proceeds of the sales of the public lands, and for other purposes, and in what counties the lands selected are situated, the number and names of persons employed, the amount paid to each person, and the time employed in selecting the said lands.

Mr. Catlin offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to report a bill to the Senate, to extend to collectors of the revenue in the several counties of this State the time of final settlement to the December term of the county commissioners' court.

Mr. Baker offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That it is expedient and proper for the State of Illinois to receive her share of the distribution fund; and that when it is so received, it shall not be in any wise expended for the ordinary expenses of the State government, but that it shall be applied to the payment of the State debt, or towards the completion of the canal, or for the purposes of education, as the Legislature may hereafter provide.

Mr. Hoard, on leave given, introduced a bill for "An act to compel the school commissioner of Cook county to pay over certain moneys therein named;" which was read a first time, and

Ordered to a second reading.

The resolution offered by Mr. Henry in relation to the appointment of a joint select committee to confer with the State Bank of Illinois, was taken up, and,

On motion of Mr. Henry,

Laid on the table.

The resolution offered by Mr. Parker, in relation to the time of electing a United States Senator, was taken up, and,

On motion of Mr. Parker,

Laid on the table.

The resolution offered by Mr. Vandeventer, in relation to a reference of that portion of the Governor's message which relates to the public revenue and its mode of collection, to the committee on Finance, was taken up and adopted.

The resolution offered by Mr. Smith, in relation to the application of certain provisions and penalties concerning schools, to the cutting or destruction of timber on lands owned by individuals in this State, was taken up and adopted.

The resolution offered by Mr. Killpatrick, referring so much of the Governor's message as relates to the State debt, to the committee on Finance, was taken up and adopted.

The resolution offered by Mr. Pearson, referring that portion of Governor Ford's inaugural message which relates to the act of incorporation of Nauvoo, to the committee on the Judiciary, with certain powers and instructions, was taken up and adopted.

The resolution offered by Mr. Nunnally, requesting the Auditor of Public Accounts to report an abstract of certain reports made to his office relative to the State House, &c., was taken up and adopted.

The resolution offered by Mr. Markley, instructing the committee on the Judiciary to inquire into the validity and justice of the claim of certain persons connected with the Peoria and Warsaw railroad, was taken up and adopted.

The resolution offered by Mr. Ruggles, having for its object the instruction of the committee on the Judiciary to report a bill amending the laws of this State regulating elections, was taken up for consideration, when

Mr. Vandeventer made a motion to lay the same on the table until the 4th of July next; which was decided in the affirmative, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, English, Evans, Feaman, Fithian, Gillham, Harrison of Jo Daviess, Henry, Houston, James, Leviston, Markley, Matteson, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Vandeventer, Warren, Waters, Willbanks, and Wynne—32.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Harrison of Sangamon, Hoard, Johnson, Killpatrick, McMurtry, Ruggles, Smith, Stapp, Thompson, and Worthington—12.

The resolutions introduced on the 13th instant, by Mr. McMurtry, instructing our Senators and requesting our Representatives in Congress to vote for a repeal of the bankrupt law, &c., was taken up.

Mr. Stapp moved to amend the resolution by adding the following proviso:

“Provided, That the repeal of said law shall not affect existing applications for the benefit of said law;” which was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Harrison of Jo Daviess, Henry, Johnson, Killpatrick, Stapp, and Worthington—8.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davidson, Davis, Dougherty, English, Evans, Feaman, Fithian, Gillham, Harrison of Sangamon, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—36.

Mr. Baker moved to amend by adding after the first resolution the following as an additional resolution:

“Resolved, That our Senators be instructed, and our Representatives representatives requested, to vote for such a tariff as shall provide a revenue adequate to the wants of the government, and so discriminate in raising that amount as to protect domestic manufactures and improve our home market.”

On motion of Mr. Ralston,

The proposed amendment was laid on the table, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, English, Evans, Feaman, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry,

Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—27.

Those voting in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Dougherty, Fithian, Gillham, Harrison of Sangamon, Harrison of Jo Daviess, Henry, Johnson, Killpatrick, Ruggles, Smith, Stapp, Waters, and Worthington—17.

Mr. Johnson offered the following amendment to the first resolution:

Strike out the words "for the repeal of the bankrupt law," and insert in lieu thereof, the words "to so modify the bankrupt law as to prevent voluntary bankruptcy."

And on the question of its adoption it was decided in the negative.

The question was then taken upon the adoption of the resolutions, and decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, English, Evans, Feaman, Fithian, Gillham, Harrison of Jo Daviess, Harrison of Sangamon, Hoard, Houston, James, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—41.

Those voting in the negative, are,

Messrs. Henry, Killpatrick, Stapp, and Worthington—4.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolution offered by Mr. Johnson, instructing the committee on Finance to ascertain as near as may be the amount necessary to defray the current expenses of the government for the present year &c., and report a bill releasing the excess over and above what is necessary &c., was taken up, and,

On motion of Mr. Ralston,

Referred to the committee on the Judiciary.

The resolution offered by Mr. Cullom, in relation to a reference of so much of the Governor's message as recommends a change in the canal to the committee on Canal and Canal Lands, was taken up and adopted.

The preamble and resolution offered by Mr. Killpatrick, in relation to the punishment of the crime of incest, was taken up and adopted.

The resolution offered by Mr. Nunnally, in relation to bringing the property of the State into market, was taken up and adopted.

The resolution offered by Mr. Parrish, referring various portions of the Governor's message to sundry standing committees, was taken up and adopted.

The resolution offered by Mr. Cullom, referring that part of the Governor's message relative to the sale of public property, to the committee on Finance, was taken up and adopted.

The resolution offered by Mr. Ralston, having for its object the rescinding of a rule of the Senate, was taken up and

The question on its adoption decided in the negative.

The resolution offered by Mr. Stapp, in relation to confessions of judgment out of term time &c., was taken up and adopted.

The resolution offered by Mr. Pearson, in relation to landlords and ten-

ants, and having for its object the placing of the former upon an equal footing with other creditors, was taken up and adopted.

Mr. Stapp moved that the Senate adjourn; which was not agreed to.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A bill for "An act to amend the laws of this State in relation to duelling," was read the second time, and,

On motion of Mr. Pearson,

Referred to the committee on the Judiciary.

A bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties of this State,'" approved February 26th, 1841, was read the second time, and,

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Crain, and Waters be that committee.

A bill for "An act to amend an act entitled 'An act concerning public roads,'" approved February 20th, 1841, was read the second time, and,

On motion of Mr. Parrish,

Referred to the committee on Public Roads.

On motion of Mr. Thompson,

The rules of the Senate were dispensed with, and the bill for "An act to incorporate the Peoria water company," was read a second time by its title, and,

On the further motion of Mr. Thompson,

Referred to the committee on Incorporations.

A bill for "An act to repeal certain laws," was read the second time, and,

On motion of Mr. Cavarly,

Referred to the committee on the Judiciary.

A bill for "An act to authorize the Governor to appoint State's Attorneys," was read the second time, and,

On motion of Mr. Ralston,

Referred to the committee on the Judiciary.

A bill for "An act to amend an act regulating the sale of property," was read the second time, and,

On motion of Mr. Davidson,

Was laid on the table, and ordered to be printed for the use of the Senate.

A bill for "An act to legalize the sale of land for taxes in the county of Scott," was read the second time, and,

On motion of Mr. Parrish,

Referred to the committee on the Judiciary.

A bill for "An act relating to the recording or registering of conveyances or other instruments in writing, executed out of the State and within the United States," was read the second time, and,

On motion of Mr. McMurtry,

Referred to the committee on the Judiciary.

A bill from the House of Representatives for "An act for the permanent location of the county seat of Lake county," was read the first time, and

Ordered to a second reading.

A bill from the House of Representatives for "An act in relation to the State Bank of Illinois and Bank of Illinois," was read the first time, and

Ordered to a second reading.

Mr. Davidson moved that the rule of the Senate be dispensed with, and that the bill be now read a second time by its title; which was not agreed to.

The message from the House of Representatives containing a memorial adopted by them, to Congress, praying the passage of a law granting pre-emption rights of 240 acres to each head of a family, extending to fifteen years, and a donation of 80 acres to each head of a family, was taken up and read, and,

On motion of Mr. Parrish,

Referred to a select committee of five.

Ordered, That Messrs. Parrish, Baker, Parker, Cavarly, and Barnett be that committee.

On motion of Mr. English,

The rules of the Senate were dispensed with, to enable him to introduce a bill for "An act concerning the recorder of Greene county;" which was read the first time, and

Ordered to a second reading.

Mr. Henry moved that the printed report, made some days since by the select committee appointed to examine the credentials of all members of the Senate elected since the passage of the last apportionment law, be taken up; which was agreed to, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Fithian, Harrison of Jo Daviess, Henry, Houston, James, Johnson, Killpatrick, Markley, McMurtry, Parrish, Ruggles, Smith, Stapp, Waters, and Worthington—22.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Feaman, Hoard, Leviston, Minard, Nunnally, Parker, Pearson, Ralston, Slocumb, Thompson, Warren, Willbanks, and Wynne—16.

Messrs. English, Cavarly, Matteson, Gillham, and Harrison of Sangamon were excused from voting on all questions touching their rights to seats on this floor.

On motion of Mr. Dougherty,

The report was referred to the committee of the whole Senate, and made the order of the day for to-morrow, at 11 o'clock, A. M.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 16, 1842.

The Senate met pursuant to adjournment.

Mr. Markley presented the petition of sundry citizens of Fulton county, praying for a change in that part of the revenue of 1838-9 which relates to mortgages; the reading of which was dispensed with, and the same,

On motion of Mr. Markley,

Referred to the committee on the Judiciary.

Mr. Parker, from the committee on Public Roads, to which was referred the petition of sundry citizens of the town of St. Charles, in Kane county, reported a bill for "An act to re-locate First street in the town of St. Charles, in Kane county;" which was read the first time, and

Ordered to a second reading.

Mr. Pearson offered for adoption the following resolution, which lies one day on the table:

Resolved, That the subject of the revenue law requiring judgments to be entered up against land for unpaid taxes, before the circuit court, be referred to the Judiciary committee, with powers to inquire if it is not expedient to so change the law as to have the said judgments entered in the county commissioners' court; and, also, to inquire if the expenses attending the assessment and collection of taxes and entering up of judgments may not be lessened without inconvenience to the State.

Mr. Nunnally offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, That the Secretary of State be requested to furnish the desks of the Senate that are destitute with locks and keys.

Mr. Parrish offered for adoption the following preamble and resolutions which lie on the table one day.

Whereas, it is one of the principles of a free government to impose no unnecessary taxes and burdens on the people: *And whereas*, the West Point Academy was established as the nursery for the military genius of our American youths, thereby furnishing our army with skilful officers and giving that order of talents a proper direction: *And whereas*, also, the history of that institution, for more than twenty years past has demonstrated the fact that it has failed in the object of its creation, having never yet furnished the army a skilful officer of ability, but on the contrary has been the hot bed of favoritism and aristocracy; and officers from that institution have, on late occasions during our Seminole hostilities, shamefully resigned at a time their country expected of them bravery and patriotism, thus proving that there is an inherent defect, as well in the selection, as education of youths; therefore,

Resolved by the General Assembly, That our Senators in Congress be instructed, and our Representatives requested, to use their endeavors to reform the abuses, not only in the selection of candidates to be educated there at the public expense, but in the education itself; and in case both of these evils cannot be removed, to vote against any more appropriations of money for said institution.

Resolved, That the Governor transmit a copy of the above preamble and resolution to each member of our delegation in Congress.

Mr. Minard, on leave obtained, introduced a bill for "An act to incorporate an Academy at St. Charles, in Kane county;" which was read a first time, and

Ordered to a second reading.

Mr. Parker, on leave obtained, introduced a bill for "An act to exempt from execution certain property therein named;" which was read a first time, and

Ordered to a second reading.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of their resolution, instructing the delegation in Congress from Illinois to vote for the repeal of the bankrupt law of the United States.

On motion of Mr. Baker,

Ordered, That the Senate do now resolve itself into committee of the whole, to take into consideration the report and resolution of the select committee appointed to examine the credentials of members of the Senate, and report, &c.

Whereupon,

The Senate resolved itself into committee of the whole; Mr. Parrish in the Chair.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they refuse to concur in the Senate's amendment to the resolution of the House, proposing to raise a joint select committee to draft a memorial addressed to Congress, praying an additional grant of funds to aid in the completion of the Illinois and Michigan Canal.

After some time spent in the consideration of said report, the committee rose, reported progress, and asked and obtained leave to sit again, at 2 o'clock, P. M., to-day.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Warren moved a call of the Senate, which was proceeded in for the time, and then, on his motion, dispensed with.

On motion of Mr. Ralston,

Ordered, That the resolution offered by him on yesterday, having for its object the instruction &c. of our Senators and Representatives in Congress to use their exertions to procure a repeal of certain parts of the act of Congress, entitled "An act to appropriate the proceeds of the sales of public lands and to grant pre-emption rights," was taken up, when

Mr. Worthington moved to amend said resolution, by striking out all after the word "That," and adding instead thereof the following:

"Our Senators be instructed, and our Representatives requested, to procure the unconditional passage of the distribution law, approved September 4th, 1841, with a provision allowing the States in which the lands are

situated, to select one-tenth of the unsold lands, in lieu of the ten per cent. of the proceeds which would have accrued to them under the distribution law.

On motion of Mr. Worthington,

Ordered, That said resolution and amendment be referred to a select committee.

Ordered, That Messrs. Worthington, Ralston, and Vandeventer be said committee.

On motion of Mr. Baker,

The committee of the whole Senate; Mr. Parrish in the Chair, resumed the consideration of the report of the select committee which had occupied its attention on this morning.

After some time spent therein, the committee rose, reported the resolution of the select committee back to the Senate without amendment.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 17, 1842.

Senate met pursuant to adjournment.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision, to inform the Senate that they have approved an act of the following title:

"An act concerning the State Library."

Mr. James presented the petition of Thomas Winstanley and others, county commissioners of Monroe county, praying relief in relation to a want of judgment for taxes in that county; the reading of which was dispensed with, and the petition,

On motion of Mr. James,

Referred to the committee on the Judiciary.

Mr. Harrison of Jo Daviess, from the committee on Internal Navigation, to which was referred the petition of 1069 citizens of Vermilion county, praying &c., reported a bill for "An act regulating mill-dams in Vermilion county;" which was read a first time, and

Ordered to a second reading.

Mr. Henry, from the committee on Public Accounts and Expenditures, to which was referred the petition of Samuel Milburn for relief, made an adverse report thereon, which was concurred in.

Mr. Dougherty from the select committee, to which was referred a bill for "An act to amend 'An act to apportion the representation of the several counties in this State,'" approved February 26th, 1841, reported the same back to the Senate with an amendment, which was concurred in and the bill as amended,

Ordered to be engrossed for a third reading.

Mr. Smith offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Finance, be instructed to inquire into the expediency of addressing a memorial to Congress, praying for a

change or alteration in the terms of compact by which the State of Illinois was admitted into the Union, so as to allow the State the right of levying taxes upon lands hereafter sold by the United States, after the expiration of one year from the date of entry at the land office, and if, in the opinion of said committee, such change would tend to increase our revenue and advance the interest of the people of this State, that they report to the Senate such a memorial as they may think best calculated to effect that object.

Mr. McMurtry, on leave given, introduced a bill for "An act to amend the school law," which was read a first time, and

Ordered to a second reading.

Mr. Killpatrick, on leave obtained, introduced a bill for "An act to punish crime of incest;" which was read the first time, and

Ordered to a second reading.

On motion,

The report of the select committee appointed to examine the credentials of members of the Senate, &c., was taken up.

The question pending at the last adjournment being on the adoption of the resolution in relation to the seats of Senators, as reported by the select committee,

Mr. Buford moved to lay the report and resolution on the table; which was not agreed to.

Mr. Parrish moved to refer said report and resolution to the committee on the Judiciary; which was not agreed to.

Mr. James moved to strike the name of "James Gillham" from the resolution; which was decided in the negative, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Dougherty, Harris, James, Leviston, and Pearson—5.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Cullom, Davidson, Davis, Evans, Feaman, Fithian, Harrison of Jo Daviess, Henry, Houston, Johnson, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—33.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representative to inform the Senate, that they have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That the members of the Senate will meet the members of the House, in the Hall of the House of Representatives, on Wednesday next, the 21st inst., at 2 o'clock, P. M., for the purpose of electing a State Treasurer, and Auditor of Public Accounts, for the State of Illinois.

In which they ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following preamble and resolutions:

Whereas, The estimate of the State debt, as stated by the Governor of

this State, amounts to about fifteen million of dollars; *And whereas*, it is of vital importance to the people of this State to know upon what condition said bonds were sold, and said indebtedness contracted, what the consideration on the various contracts has been, and whether in some instances the sale of such bonds has not been made without a *bona fide* consideration; therefore,

Resolved by the House of Representatives, the Senate concurring herein, That a committee of three on the part of the House, and two on the part Senate, be appointed to examine and ascertain what the condition was upon which said bonds were sold, and the various contracts entered into; whether in some instances, the sales were not wholly illegal, and others without a good and valuable consideration; and in order that the said committee may be enabled to get at every fact in the case, they are hereby empowered to call for persons and papers, and enter into a full investigation of the whole matter, and that they report to this House at their earliest convenience; and they are hereby required to make a statistical account of all the various debts and sales of bonds, pointing out those that have been, if any, illegally sold; also, as regards the consideration for which said bonds have been sold. And have appointed Messrs. Davis of Bond, Sharp, and Ficklin, the committee on their part,

In the passage of which they ask the concurrence of the Senate.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Dougherty moved to strike the name of "Joel A. Matteson" from the resolution under consideration.

Mr. Pearson moved a call of the Senate.

On motion of Mr. Davis,

Further proceedings under the call were dispensed with.

Mr. Hoard moved that the Senate adjourn to 2 o'clock, P. M.; which was not agreed to.

The question was taken on striking out the name of "Joel A. Matteson," as above, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Dougherty, Harris, James, Leviston, and Pearson—5.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Cullom, Davidson, Davis, Evans, Feaman, Fithian, Harrison of Jo Daviess, Henry, Hoard, Houston, Johnson, Killpatrick, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Worthington—33.

Mr. Cavarly moved to amend the resolution by striking out all after the word "resolved," and adding instead thereof, the following:

"That the doctrine of constructive representation on this floor, over a county or district which did not, and could not by law, vote in the election of such representation, so as to deprive a county or district, at any succeeding general election, is in conflict with the right to the elective franchise, and the Constitution and laws of this State."

Mr. Worthington moved to lay the amendment on the table.

Mr. Dougherty moved that the Senate adjourn to 2 o'clock, P. M.; which was not agreed to.

The question was taken on laying the amendment on the table, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Cullom, Davidson, Davis, Evans, Feaman, Fithian, Harrison of Jo Daviess, Henry, Hoard, Houston, Johnson, Killpatrick, Markley, McMurtry, Parrish, Ralston, Ruggles, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, and Worthington—30.

Those who voted in the negative, are,

Messrs. Dougherty, Harris, James, Leviston, Nunnally, Parker, Pearson, and Stapp—8.

Pending the question on the adoption of the resolution,

Mr. Ralston called for a division of the question with respect to the names of Senators embraced therein.

Mr. Stapp moved to strike the name of "Reuben Harrison" from the resolution; which was decided in the negative, as follows:

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Henry, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—38.

Mr. Ralston withdrew his motion for a division of the question.

Mr. Buford moved to postpone the consideration of the subject until Monday next; which was not agreed to.

The question was then taken on the adoption of the resolution recommended by the select committee, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Cullom, Davidson, Davis, Evans, Feaman, Fithian, Harrison of Jo Daviess, Henry, Houston, Johnson, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Worthington—31.

Those who voted in the negative, are,

Messrs. Dougherty, Harris, James, Leviston, Pearson, and Wynne—6.

The Speaker laid before the Senate a communication from His Excellency the Governor:

EXECUTIVE DEPARTMENT,
Springfield, December 17, 1842.

*To the Honorable, the Senate
of the State of Illinois:*

I hereby nominate Ralph Hamlin Esq., to be notary public at Peoria, in the county of Peoria, in the place of William Mitchell, who has resigned.

THOMAS FORD.

On motion of Mr. Vandeventer,

Ordered, That the Senate do now advise and consent to the nomination of Ralph Hamlin as notary public at Peoria, in the county of Peoria, in the place of William Mitchell, resigned.

On motion, the Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The following message was received from the House of Representatives, by Mr. Ewing, their Clerk,

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they are now ready to receive the Senate in the Hall of the House, to proceed to the election of a United States Senator.

Whereupon,

The Senate, preceded by Mr. Speaker, repaired to the Representatives Hall, and both branches of the General Assembly proceeded, *viva voce*, to elect a Senator to the Congress of the United States, when the vote stood thus:

For Sidney Breese,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Dougherty, English, Evans, Feaman, Harris, Hoard, Houston, James, Leviston, Markley, McMurtry, Minard, Nunnally, Parrish, Pearson, Ralston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne of the Senate, and

Messrs. Ames, Anderson, Arnold, Bell, Bibbens, Bishop, Blair, Bradley, Brinkley, Bryant, Burklow, Busey, Cloud, Cochran, Collins, Compton, Courtright, Cushman, Danner, Dennis, Dickinson, Dollins, Dougherty, Douglas, Epler, Flanders, Gobble, Gregg, Green of Clay, Green of Greene, Hambaugh, Hannasford, Hatch, Hick, Hicks, Hinton, Horney, Howard, Hunsaker, Jackson of McHenry, Koerner, Kuykendall, Lawler, Loy, McBride, McClernand, McDonald of Calhoun, McDonald of Jo Daviess, McMillan, Madden, Manning, Marshall, Miller, Murphy, Nesbit, Norris, Owen, Penn, Scott, Sharp, Shirley, Simms, Smith of Hancock, Spicer, Starne, Stewart, Tackerberry, Thompson, Turner, Vance, Vandever, West, Weatherford, Wheat, Whitcomb, White, Whitten, Wilson, Woodworth, and Mr. Speaker of the House of Representatives—108.

For Archibald Williams.

Messrs. Baker, Cullom, Davidson, Fithian, Harrison, Henry, Johnson, Parker, Ruggles, Smith, Stapp, Waters, and Worthington of the Senate, and

Messrs. Adams, Aldrich, Bailhache, Blakeman, Bone, Brown of Pike, Brown of Sangamon, Browning, Caldwell, Canady, Davis of Bond, Du Bois, Edwards, Ervin, Ficklin, Fowler, Garrett, Glass, Graves, Halcy, Hanson, Harper, Hickman, Jackson of Whiteside, Jonas, Kendall, Langworthy, Lockard, Logan, Menard, Mitchell, Pickering, Smith of Crawford, Starr, Stockton, and Yates, of the House of Representatives—49.

Mr. Killpatrick, of the Senate, voted for John J. Hardin.

Mr. Ewing, of the House of Representatives, voted for O. H. Browning.

Mr. Vinyard, of the House of Representatives, voted for John A. McClernand.

Mr. Sidney Breese having received a majority of all the votes given, was, by the Speaker of the House of Representatives, declared duly elected Senator in the Congress of the United States, for six years from the 4th of March next, for the State of Illinois. Whereupon,

The Senate returned to their Chamber; and,

On motion, adjourned.

MONDAY, DECEMBER 19, 1842.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed bills of the following titles, to wit:

A bill for "An act concerning the records of Jersey county;"

A bill for "An act to legalize certain acts of the county commissioners of Lake county;"

A bill for "An act for the relief of Jonathan D. Manlove;" and

A bill for "An act to incorporate the Mechanics' Institute in the city of Chicago."

In the passage of which bills they ask the concurrence of the Senate.

Mr. Leviston presented the petition of sundry residents of township No. 9 south, range No. 7 east, in Gallatin county, praying for land or money in lieu of the sixteenth section of said township, which has been sold by the State; the reading of which was dispensed with, and the petition,

On motion of Mr. Leviston,

Referred to the committee on School Lands and Education.

On motion of Mr. Crain,

Ordered, That leave of absence be granted to Mr. Evans for ten days.

Mr. Ruggles presented the petition of sundry citizens of the town of Florence and vicinity, in Ogle county, praying that the name of said town be changed to Oregon; which was read, and,

On motion of Mr. Ruggles,

Referred to the committee on Counties.

Mr. Pearson, from the committee on the Judiciary, to which was referred a preamble and resolution relative to the act incorporating the city of Nauvoo, &c., offered by Mr. Johnson, and an amendment thereto, offered by Mr. Baker, made report, asked and obtained a discharge from the further consideration of the subject, and recommended the adoption of the following resolution:

Resolved, That the city charters of Nauvoo, Chicago, Quincy, Springfield, and all other city charters in the State, require amendment, so as to place them all upon an equal footing; all of which were,

On motion of Mr. Ralston,

Laid on the table until to-morrow.

On motion of Mr. Warren,

Ordered, That the vote taken on Saturday last, adopting the resolution reported by the select committee in reference to the seats of certain Senators, be re-considered.

The yeas and nays being desired thereon,

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Crain, Dougherty, English, Feaman, Fithian, Harris, Harrison, Hoard, Houston, James, Johnson, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ruggles, Warren, Waters, Willbanks, and Worthington—23.

Those who voted in the negative, are,

Messrs. Cullom, Davidson, Davis, Henry, Killpatrick, McMurtry, Slo-umb, Smith, Stapp, Thompson, and Vandeventer—11.

Mr. Dougherty moved to refer the report and resolution of the select committee to the committee on Elections, with instructions to report to-morrow at 11 o'clock.

Mr. Pearson moved a call of the Senate; which was proceeded in for some time, and then,

On motion of Mr. Ralston,

Dispensed with.

The question was taken on the motion of Mr. Dougherty to refer, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Dougherty, Harris, James, Leviston, Markley, Nunnally, Parker, Pearson, and Willbanks—11.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Crain, Cullom, Davidson, Davis, Feaman, Fithian, Henry, Houston, Johnson, Killpatrick, McMurtry, Minard, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, and Worthington—25.

Pending the question on the adoption of the resolution,

On motion of Mr. Pearson,

A call of the Senate was had; which was, after a short time,

On motion of Mr. Davis,

Dispensed with.

On the question—"Will the Senate adopt the resolution reported by the select committee?"

It was decided in the affirmative, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Cullom, Davidson, Davis, Feaman, Fithian, Henry, Houston, Johnson, Killpatrick, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Willbanks, and Worthington—30.

Those who voted in the negative, are,

Messrs. Dougherty, Harris, James, Leviston, and Pearson—5.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Warren offered for adoption the following resolution; which lies one day on the table:

Resolved, That R. W. English is legally entitled to his seat in the Senate as Senator for the district composed of the counties of Greene and Calhoun.

On motion of Mr. Warren,

The rule was dispensed with, and the resolution taken up.

On motion of Mr. Davidson,

Ordered, That the resolution be referred to the committee of the whole Senate, and made the order of the day for to-morrow, at 11 o'clock, A. M.

Mr. Waters, on leave, introduced a bill for "An act to repeal 'An act regulating interest on money;'" which was read a first time, and

Ordered to a second reading.

Mr. Henry, on leave, introduced a bill for "An act exempting certain property from execution, in addition to what is already exempted by law;" which was read a first time, and

Ordered to a second reading.

Mr. Parrish, on leave, introduced a bill for "An act requiring officers to issue and execute process;" which was read a first time, and

Ordered to a second reading.

The resolution offered by Mr. Pearson, referring the law in relation to judgments for unpaid taxes before the circuit court, to the committee on the Judiciary, was taken up and adopted.

The resolution offered by Mr. Catlin, instructing the committee on the Judiciary to report a bill extending the time of collection of the revenue and the final settlement of collectors, to the December term of the county commissioners' court, was taken up and adopted.

The resolution offered by Mr. Nunnally, requesting the Secretary of State to furnish the desks of the Senate that are destitute with locks and keys, was taken up and adopted.

The resolution offered by Mr. Baker, in relation to the expediency and propriety of the receipt by the State of Illinois of a share of the distribution fund, was taken up, and,

On motion of Mr. Ralston,

Referred to the committee on Finance.

The preamble and resolution offered by Mr. Parrish, in relation to the Military Academy at West Point, was taken up, and,

On motion of Mr. Henry,

Referred to the committee on Military Affairs.

The resolution offered by Mr. Smith, instructing the committee on Finance to inquire into the expediency of addressing a memorial to Congress, praying an alteration in the terms of compact by which the State of Illinois was admitted into the Union, &c., was taken up and adopted.

The resolution offered by Mr. Stapp, requesting the Governor to inform the Senate on the subject of the selection of lands, under the law of Congress providing for the distribution of the proceeds of the sales of the public lands, and for other purposes, was taken up and adopted.

Senate bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties in this State,'" approved February 26, 1841, was taken up, read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Ralston,

Ordered, That the rule requiring resolutions to lie one day on the table be dispensed with, so as to permit him to offer a resolution to be taken up immediately.

Mr. Ralston offered the following:

Resolved, That Alfred W. Cavarly is entitled to his seat as Senator elect, to fill the vacancy occasioned by the death of the late John Allen.

On motion,

The resolution was referred to a committee of the whole Senate, and made the order of the day for to-morrow, at 11 o'clock, A. M.

Senate bills of the following titles, to wit:

A bill for "An act to punish the crime of incest;"

A bill for "An act relating to the recording or registering of conveyances or other instruments in writing, executed out of this State, and within the United States;" and

A bill for an act regulating mill-dams in Vermilion county," were severally read a second time, and,

On motion,

Referred to the committee on the Judiciary.

A bill for "An act to compel the school commissioner of Cook county to pay over certain moneys therein named," was read a second time, and,

On motion of Mr. Hoard,

Laid on the table.

A bill for "An act to exempt from execution certain property therein named," was read a second time, and,

On motion of Mr. Baker,

Referred to the committee on Retrenchment.

A bill for "An act to amend the school law," was taken up, read a second time, and,

On motion of Mr. Catlin,

Referred to the committee on School Lands and Education.

A bill for "An act concerning the recorder of Greene county," was read a second time, and,

On motion of Mr. Ralston,

Referred to the committee on the Judiciary.

A bill for "An act to re-locate First street in the town of St. Charles, in Kane county," was read the second time, and,

On motion of Mr. Minard,

Referred to the committee on Incorporations.

On motion of Mr. Minard,

The rules of the Senate were dispensed with, and the bill for "An act to incorporate an Academy at St. Charles, Kane county," was read a second time by its title, and referred to the committee on Incorporations.

Bills from the House of Representatives on their second reading were taken up:

A bill for "An act in relation to the State Bank of Illinois and Bank of Illinois," was read the second time, and,

Ordered to a third reading, and

On motion of Mr. Davidson,

The rules of the Senate were dispensed with, and the bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act for the permanent location of the county seat of Lake county," was read the second time, and,

On motion of Mr. Hoard,

Referred to the committee on Counties.

A message from the House of Representatives, containing a preamble and resolution relative to State bonds and State indebtedness, was taken up and concurred in.

Ordered, That Messrs. Nunnally and Ryan be the committee on the

part of the Senate, and that the Secretary inform the House of Representatives thereof.

The resolution of the House of Representatives, fixing Wednesday, the 21st inst., for the purpose of electing a Treasurer and Auditor, was taken up.

Mr. Minard moved to amend the resolution by adding the following, to wit:

"And also, the election of an associate Justice of the Supreme Court, to fill the vacancy that will accrue by the expiration of the commission of John Dean Caton, who was appointed by the Governor to fill the vacancy occasioned by the resignation of the Hon. Thomas Ford."

Mr. McMurtry moved that the amendment be laid on the table.

Mr. Cavarly moved that the original resolution be laid on the table; which was agreed to.

Bills from the House of Representatives on their first reading, were taken up, and

A bill for "An act for the relief of Jonathan D. Manlove," was read the first time, and

Ordered to a second reading.

A bill for "An act concerning the records of Jersey county," was read the first time, and

Ordered to a second reading.

A bill for "An act to legalize certain acts of the county commissioners of Lake county," was read the first time, and,

Ordered to a second reading.

Mr. Speaker laid before the Senate, a communication from the Auditor of Public Accounts, which was read, and,

On motion of Mr. Ralston,

Referred to the committee on Public Buildings.

On motion of Mr. Henry,

The bill for "An act to amend an act regulating the sale of property," was taken up from the table, and,

On motion of Mr. Ralston,

Referred to the committee of the whole Senate, and made the order of the day, for to-morrow, at 2 o'clock, P. M.

Mr. Speaker appointed Mr. Crain to be a member of the joint select committee, appointed to divide the State of Illinois into seven Congressional districts, in place of Mr. Evans, who has had leave of absence.

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 20, 1842.

Senate met pursuant adjournment.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor, to lay before the Senate a communication in writing.

Mr. Wynne presented the petition of sundry inhabitants of Mason county, praying the passage of a law permanently locating the seat of justice of said county at Bath; the reading of which was dispensed with,

On motion of Mr. Wynne,

And the same referred to the committee on Counties.

Mr. Buford presented the petition of sundry citizens of Rock Island county, concerning the erection of a free bridge over Rock river; which was read, and,

On motion of Mr. Buford,

Referred to the committee on Internal Improvements.

Mr. Barnett presented the petition of the county commissioners and school commissioner of Piatt county, praying to be enabled to receive their share of State school funds; the reading of which was dispensed with, and the same,

On motion of Mr. Barnett,

Referred to the committee on School Lands and Education.

Mr. Hoard presented the petition of sundry inhabitants of Cook county, praying for the passage of a law requiring the county commissioners of this State, to procure an index to the records in the recorders' offices in their counties; the reading of which was dispensed with, and the same,

On motion of Mr. Hoard,

Referred to a select committee.

Ordered, That Messrs. Hoard, Barnett, and Crain, be that committee.

The Speaker laid before the Senate, the following communication:

EXECUTIVE DEPARTMENT,
Springfield, December 20, 1842,

To the Senate and House of Representatives:

The Hon. John Pearson has resigned his seat in the Senate, to take effect on the first day of January, 1843. A writ of election will issue immediately to fill the vacancy: but the law as it now stands requires a longer previous notice of the election, and allows a longer time for the returns thereof to be made than is necessary for a special election during the session.

I have the honor, &c.

THOMAS FORD.

The communication was read, and,

On motion of Mr. Ralston,

Laid on the table.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That the joint rules of the two Houses at the last session, be the joint rules for the government of the two Houses for the present session; and that a joint select committee of three on the part of the House, and two on the part of the Senate, be appointed to procure the printing, in convenient form, of the joint rules, the rules of the Senate, the rules of the House of Representatives, with the standing committees of each House; also, the Constitution of the United States, and the Constitution of this State, and the the schedule thereto, together with the ordinance adopted on the admission of this State into the Union, with such statistical information as the committee may think proper for a convenient Legislative Manual; to which the committee shall attach a directory, with the names of State officers, their age, residence and salary;

also, the names, age, residence, profession and boarding house of the members and officers of the two Houses; and that they have appointed Messrs. Cloud, Nesbit, and Stewart, the committee on their part.

In the passage of which they ask the concurrence of the Senate.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to authorize the Governor to appoint State's Attorneys," reported the same back to the Senate without amendment, and recommended the passage thereof.

Mr. Markley moved to amend the second section of the bill by striking out the first four lines of the same and inserting in lieu thereof, the following:

"That hereafter there shall be elected by the people of each judicial district, once in every two years."

Which amendment, was,

On motion of Mr. Baker,

Laid on the table.

The question was then taken upon engrossing said bill for a third reading, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Cullom, Davidson, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Leviston, McMurtry, Minard, Parker, Ralston, Ruggles, Ryan, Slocumb, Thompson, Willbanks, and Worthington—28.

Those who voted in the negative, are,

Messrs. Crain, Davis, English, Markley, Nunnally, Parrish, Pearson, Smith, Stapp, Vandeventer, Warren, and Waters—13.

Mr. Dougherty, from the committee on Incorporations, to which was referred the petition of sundry citizens of Jo Daviess county, praying for a license &c., reported a bill for "An act granting a ferry to William Smith and Vincent C. Smith;" which bill was read a first time, and

Ordered to a second reading.

Mr. McMurtry offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be required to inquire into the expediency of making the offices of assessor and collector in each county elective by the people; and that they report by bill or otherwise.

Mr. Stapp offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency and necessity of increasing the number of judicial circuits in this State, and of providing by law for the reduction of the number of Supreme Judges, as vacancies have and may happen in said court, until the number of said judges be reduced to three; and that they provide for the appointment of circuit judges to perform circuit court duties, in the judicial circuits in which such vacancy shall happen, at a salary of one thousand dollars per annum; and that they report by bill or otherwise.

Mr. Slocumb, on leave, introduced a bill for "An act providing for a special election of Senator in the district composed of Will, Du Page and Iroquois counties;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Baker,

Ordered, That the rules be suspended, and the said bill be read a second time by its title.

Mr. Smith moved to strike out "three" in the second section, and insert "seven" instead thereof.

Mr. Ruggles moved to strike out "three" from the same section, and insert "five."

Mr. McMurtry called for a division.

The question was then taken on striking out "three," and decided in the negative.

On motion of Mr. Parrish,

Ordered, That that rules be further dispensed with, and that the bill be read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Parker,

Ordered, That the Senate do now resolve itself into a committee of the whole, to take into consideration the resolutions referred on yesterday, relative to the right of the Hon. R. W. English and the Hon. A. W. Cavarly to hold seats upon the floor of the Senate.

The following message was received from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of a bill for "An act providing for a special election of Senator in the district composed of the counties of Will, Du Page and Iroquois."

After some time spent in the consideration of the subject referred to them, the committee of the whole rose, and, by Mr. Parrish, their chairman, reported, and asked and obtained leave to sit again on to-day at 2 o'clock, P. M.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Crain, from the committee on Enrolled bills, reported as correctly enrolled "An act providing for a special election of Senator in the district composed of Will, Du Page and Iroquois counties," and that the same had been on to-day laid before the Council of Revision.

On motion of Mr. McMurtry,

The committee of the whole resumed the consideration of the subject which had occupied its attention on this morning, and after some time, rose, reported the resolutions back to the Senate without amendment, by Mr. Parrish, their chairman, and asked the concurrence of the Senate.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision, to inform the Senate that they have approved "An act providing for a special election of Senator in the district composed of Will, Du Page and Iroquois counties."

Pending the question—"Will the Senate concur with the committee of the whole in the adoption of the resolutions,"

Mr. Baker called for a division thereof.

The question was first taken of concurrence in the adoption of the resolution, declaring R. W. English to be legally entitled to his seat as Senator for the district therein named, and determined in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Crain, Cullom, Davidson, Davis, Dougherty, Harrison, Henry, Hoard, James, Leviston, Nunnally, Parker, Pearson, Ralston, Slocumb, Smith, Stapp, Thompson, Vandeventer, Waters, Willbanks, and Wynne—23.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Feaman, Fithian, Houston, Johnson, Killpatrick, Markley, McMurtry, Minard, Parrish, Ruggles, Warren, and Worthington—14.

The question was then taken of concurrence in the adoption of the resolution declaring that Alfred W. Cavarly is entitled to his seat as Senator, to fill a vacancy therein named, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Dougherty, Feaman, Fithian, Houston, James, Leviston, Markley, Nunnally, Parker, Parrish, Pearson, Ruggles, Smith, Thompson, Warren, Willbanks, and Worthington—19.

Those who voted in the negative, are,

Messrs. Crain, Cullom, Davidson, Davis, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Ralston, Slocumb, Stapp, Vandeventer, Waters, and Wynne—17.

Mr. Baker was, on his motion, excused from voting on the question last named.

Messrs. Buford, Cavarly and English were also excused from voting on to-day, in reference to the resolutions.

On motion of Mr. Davidson,

Ordered, That the vote taken on the adoption of the resolution, having reference to the seat, as Senator, of the Hon. R. W. English, be reconsidered.

The yeas and nays being desired on said motion,

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Crain, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Markley, McMurtry, Minard, Parrish, Ruggles, Slocumb, Stapp, Vandeventer, Worthington, and Wynne—24.

Those who voted in the negative, are,

Messrs. Barnett, Dougherty, Feaman, James, Leviston, Nunnally, Parker, Pearson, Ralston, Smith, Thompson, Warren, Waters, and Willbanks—14.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

On motion of Mr. Davidson,

The resolution declaring that Revil W. English is legally entitled to a

seat in the Senate as Senator for the district composed of the counties of Greene and Calhoun, was laid upon the table.

On motion of Mr. Worthington,

The vote taken on the resolution declaring that Alfred W. Cavarly was entitled to a seat as Senator elect to fill the vacancy occasioned by the death of the late John Allen, was re-considered.

Mr. Baker moved to amend the resolution, by striking out all after the word "resolved" and inserting the following, to wit:

"That the counties of Jersey, Greene and Calhoun, are only entitled to one Senator on this floor, who may have been elected at the last August election."

Mr. Davidson moved to amend the amendment by adding the following, to wit:

"And that R. W. English has been legally elected for the counties of Greene and Calhoun."

Mr. Warren moved to refer the whole subject to the committee on Elections; which was not agreed to.

The question then recurring on the amendment to the amendment,

Mr. Pearson called for a division of the question, so as first to take the vote on the first branch thereof, ending with the words "legally elected."

The question was then taken on the first branch of the amendment to the amendment, and decided in the affirmative.

Those voting in the affirmative, are,

Messrs. Crain, Cullom, Davidson, Davis, Dougherty, Harrison, Henry, Hoard, James, Leviston, Nunnally, Parker, Pearson, Ralston, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Waters, Willbanks, and Wynne—23.

Those voting in the negative, are,

Messrs. Baker, Barnett, Buford, Feaman, Fithian, Horston, Johnson, Killpatrick, Markley, McMurtry, Minard, Parrish, Ruggles, Warren, and Worthington—16.

Mr. Parrish moved that the whole matter be laid on the table; which was agreed to.

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 21, 1842.

Senate met pursuant to adjournment.

The Speaker laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
Springfield, December 20, 1842.

To the Senate and House of Representatives:

A vacancy has this day occurred in the office of associate Justice of the Supreme Court, by the resignation of the Honorable Sidney Breese, to take effect from and after the first day of January next.

Also, a vacancy in the same office occurred in June last, by my own resignation; which last vacancy was temporarily filled by an appointment

by my predecessor, to continue until the end of the present session of the General Assembly.

I have the honor to be, &c.

THOMAS FORD.

Which communication was read, and,

On motion of Mr. Warren,

Laid on the table.

Mr. Pearson, from the committee on the Judiciary, in obedience to a resolution instructing that committee, reported a bill for "An act placing landlords on an equality with other creditors;" which was read a first time, and

Ordered to a second reading.

Mr. James, from the committee on Finance, reported the following resolution, which lies one day on the table:

Resolved by the Senate and House of Representatives, That the committees on Finance of the two Houses be instructed to examine the offices of the Auditor and Treasurer, and report their condition, the manner in which they have been respectively kept for the last two years; whether they are so kept as to make one a complete check upon the other; and whether or not any money has been lost by the inadvertence, neglect, or improper conduct of either the Auditor or Treasurer, their agents or clerks, and report as soon as convenient, by bill or otherwise.

On motion of Mr. Baker,

Ordered, That the rules of the Senate be dispensed with, and that the resolutions and amendments proposed thereto, relating to the seats on the floor of the Senate of the Hon. R. W. English and the Hon. A. W. Cavarly, be now taken up for consideration.

The question pending at the last adjournment being upon the last branch of the amendment proposed by Mr. Davidson, to the amendment proposed by Mr. Baker, to the resolution in relation to the seat of the Hon. A. W. Cavarly as Senator &c., the same was taken and decided in the negative.

Pending the question upon the adoption of the amendment offered by Mr. Baker, Mr. Pearson proposed to amend the same, by striking it out, and inserting the following in lieu thereof:

"That A. W. Cavarly has been constitutionally elected;" which was,

On motion of Mr. Baker,

Laid on the table by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Crain, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Kalston, Ruggles, Ryan, Slocumb, Stapp, Vandeventer, Waters, and Wynne—22.

Those who voted in the negative, are,

Messrs. Catlin, Dougherty, Feaman, James, Leviston, Markley, Nunnally, Parker, Parrish, Pearson, Smith, Thompson, Warren, Willbanks, and Worthington—15.

Mr. Cavarly moved to amend the amendment offered by Mr. Baker, by striking it out, and inserting the following:

"That in the vacancy of a Senator, occurring by death, the district

which elected him has a right, by the Constitution and law to fill said vacancy;" and on the question of its adoption,

It was determined in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Crain, Dougherty, Feaman, Fithian, Henry, James, Leviston, Markley, Nunnally, Parker, Parrish, Pearson, Ryan, Thompson, Warren, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Davis, Harrison, Hoard, Johnson, Killpatrick, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Stapp, Vandeverter, Waters, and Wynne—18.

Mr. Ryan made a motion to re-consider the vote last taken; which was decided in the affirmative, by yeas and nays, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Markley, McMurtry, Minard, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Vandeverter, Waters, Worthington, and Wynne—23.

Those voting in the negative, are,

Messrs. Barnett, Buford, Catlin, Crain, Dougherty, Feaman, James, Leviston, Nunnally, Parker, Parrish, Pearson, Thompson, Warren, and Willbanks—15.

Pending the question on the adoption of Mr. Cavarly's amendment to Mr. Baker's amendment,

Mr. Davidson moved to lay the same on the table.

Mr. Pearson made a motion to lay the resolution and amendments on the table; which was not agreed to.

The yeas and nays being desired thereon;

Those voting in the affirmative, are,

Messrs. Buford, and Pearson—2.

Those voting in the negative, are,

Messrs. Baker, Barnett, Catlin, Crain, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeverter, Warren, Waters, Willbanks, Worthington, and Wynne—36.

The question was then taken on laying on the table the amendment offered by Mr. Cavarly to the amendment offered by Mr. Baker, and decided in the affirmative.

On motion of Mr. Dougherty,

Ordered, That the amendment offered by Mr. Baker to the resolution be laid upon the table.

Mr. Dougherty offered the following amendment to the resolution:

After "Alfred W. Cavarly," insert "R. W. English;" and,

On the question of its adoption, it was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Cullom, Dougherty, Feaman, James, Leviston, Nunnally, Parker, Pearson, Smith, Stapp, and Willbanks—11.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Davidson, Davis, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Markley, McMurtry,

Minard, Parrish, Ralston, Ruggles, Ryan, Slocumb, Thompson, Vandeventer, Warren, Waters, Worthington, and Wynne—27.

Mr. Henry moved to amend the resolution, by striking it out, and adopting the following as a substitute therefor:

"Whereas, there are two persons, to wit: A. W. Cavarly and R. W. English, claiming to represent the county of Greene in the Senate of the Legislature of Illinois, the said Cavarly having been elected by said county to fill the vacancy occasioned by the death of the Honorable John Allen, former Senator of Greene county, and the said English having been elected by virtue of an election held by said county, on the first Monday of August, A. D., 1842, under and in pursuance of an act entitled "An act to apportion the representation of the several counties in this State," approved February 26, 1841: And whereas, the said county of Greene is not entitled to more than one representative in the Senate: And whereas, also, there is very considerable doubt which of the above named persons is legally entitled to his seat, and some doubt whether either of them is legally entitled to the same; therefore, be it

"Resolved by the Senate, That a new election be held in the counties of Greene and Calhoun for Senator for two years from and after the first Monday of August, 1842, under and in pursuance of the provisions of the act entitled "An act to apportion the representation in the several counties in this State," approved February 26, 1841."

Mr. Ralston moved to lay said amendment on the table; which was agreed to by the following vote:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Davis, Dougherty, Fithian, James, Leviston, Markley, Nunnally, Pearson, Ralston, Ruggles, Ryan, Smith, Stapp, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—21.

Those who voted in the negative, are,

Messrs. Baker, Buford, Crain, Cullom, Davidson, Feaman, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Parker, Parrish, Slocumb, and Thompson—17.

Mr. Davis moved to amend the resolution as follows:

After the word "is," insert the word "not," and after the name "Alfred W. Cavarly," insert the words "and that R. W. English is."

Mr. Smith called for a division of the question, so as first to take the vote on inserting the word "not;" when,

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Nunnally moved a call of the Senate.

During the pendency of the call, Mr. Parker asked and obtained leave to withdraw the petition of Samuel Milburn for relief.

On motion of Mr. Killpatrick,

The further call of the Senate was dispensed with.

The question pending when the Senate adjourned was taken up, which

was on inserting the word "not" after the word "is," and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Crain, Cullom, Davidson, Davis, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Ralston, Ruggles, Ryan, Slocumb, Stapp, Vandeventer, Waters, and Wynne—19.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Dougherty, Feaman, Fithian, James, Leviston, Markley, Nunnally, Parker, Parrish, Pearson, Smith, Thompson, Warren, Willbanks, and Worthington—18.

The question was then taken on the last branch of the amendment, which is as follows, to wit:

"And that R. W. English is," and decided in the negative, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Davidson, Davis, Dougherty, Fithian, Harrison, Henry, Hoard, James, Leviston, Ralston, Ryan, Slocumb, Stapp, Vandeventer, and Wynne—16.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Crain, Cullom, Feaman, Johnson, Killpatrick, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Pearson, Ruggles, Smith, Thompson, Warren, Waters, Willbanks, and Worthington—22.

Mr. Johnson moved to amend the resolution by striking out all after the word "Resolved," and inserting the following, to wit:

"That neither A. W. Cavarly or R. W. English are legally elected, and are not entitled to seats on this floor; but that in order to do justice to all parties it would be proper to hold a special election in the district composed of the counties of Greene and Calhoun, to fill the unexpired term of the vacancy occasioned by the death of the late John Allen."

Mr. Pearson moved to amend the amendment, by adding the following, to wit:

"That no act of the Senate can prevent any county from being represented on this floor."

Mr. Baker moved that the amendment to the amendment, offered by Mr. Pearson, be laid on the table; which was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Crain, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Waters, Worthington, and Wynne—27.

Those who voted in the negative, are,

Messrs. Catlin, Dougherty, James, Leviston, Markley, Nunnally, Parker, Pearson, Stapp, Warren, and Willbanks—11.

Mr. Davis moved the previous question; and

On the question—"Shall the main question be now put?" it was decided in the affirmative, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Harrison, Henry, Hoard, James, Johnston, Killpat-

rick, Leviston, Markley, McMurtry, Minard, Nunnally, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—33.

Those who voted in the negative, are,

Messrs. Crain, Fithian, Parker, Pearson, and Stapp—5.

The question was taken on the amendment offered by Mr. Johnson, and decided in the affirmative, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Crain, Cullom, Davidson, Davis, Feaman, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Parrish, Ralston, Ruggles, Ryan, Slocumb, Thompson, and Vandeventer—21.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Dougherty, Fithian, James, Leviston, Markley, Nunnally, Parker, Pearson, Smith, Stapp, Warren, Waters, Willbanks, Worthington, and Wynne—17.

The question was then taken on the adoption of the resolution, as amended, and determined in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Parrish, Ruggles, Ryan, Slocumb, Thompson, and Vandeventer—17.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Dougherty, Feaman, Fithian, James, Leviston, Markley, Nunnally, Parker, Pearson, Ralston, Smith, Stapp, Warren, Waters, Willbanks, Worthington, and Wynne—20.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 22, 1842.

Senate met pursuant to adjournment.

Mr. Parrish, from the select committee to whom was referred a memorial from the House of Representatives, praying for the passage of a law granting the right of pre-emption to two hundred and forty acres of land, and a donation of eighty acres, reported the same back with an amendment to the memorial. They amend by adding the following after the word "possible," to wit:

"Your memorialists would further represent to your honorable bodies, that upon the Mississippi and Ohio, and the southern portion of this State generally, have large districts in them covered with water, and large flats and swamps, which produce causes of disease among the people living adjacent to them, of the most malignant kind; that swamps and flats are caused by the spring rains descending from the adjacent hills, and waters accumulates in great quantities in the sunken or depressed parts of bottoms and flats, which from being often repeated, has left a deposite on the surface of the earth impervious to water; hence it must remain on the surface of the ground until it passes off by evaporation. Your memorialists believe that those lands will continue to be Congress lands for centuries to come, unless Congress will consent to give them to persons who will drain and

improve them; this could be most effectually done by the several counties in which they are situated; they will, therefore, pray that the lands be donated to the several counties in which they are situated, upon condition that they will drain them within ten years from the passage of the law.

"They further represent, that situated as the State of Illinois now is with the same promise on the face of the Constitution, that they are admitted into the Union on an equal footing with the original States, while at the same time, according to the previous claims by Congress over them or rather over the domain within the State, they feel most sensibly the want of that equality of right which the original States did possess, and which it is contended we do not possess; that is, the right of providing for the welfare and happiness of the citizens of this State, by draining the swamps within the limits of the State; to do which we must possess the same, as New-York, Pennsylvania, and other States have done, without first asking Congress the right to do so."

The question was then taken on concurring with the select committee in the amendment reported by them, and agreed to.

The question was then taken on concurring with the House of Representatives in the adoption of the memorial and resolutions, as amended by the Senate, and agreed to.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Warren, from the committee on Military Affairs, to whom was referred a preamble and resolutions in regard to the West Point Academy have had the same under consideration, and the majority have directed me to report the same back with the following amendment:

Strike out all of the fourteenth and fifteenth line to the word "has," and insert the word "and."

Mr. Baker moved to amend by striking out "the," and inserting in lieu thereof "any," and strike out all after the word "itself," in the first resolution, and insert in lieu thereof the following, to wit:

"To cause strict examination to be made as to the condition of the West Point Academy, and, also, into the manner of introduction to an education in the navy, and cause a reform of all favoritism and abuses, if any there be."

Mr. Baker moved to lay the whole subject on the table; which was not agreed to, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Davis, Dougherty, Fithian, Harrison, Killpatrick, McMurtry, Smith, and Stapp—10.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Cullom, Davidson, Feaman, Henry, Hoard, James, Johnson, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Slocumb, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—29.

Mr. Ralston moved to refer the whole subject to the committee on the Judiciary; which was not agreed to, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Davis, Harrison, Johnson, McMurtry, Ralston, Ryan, and Smith—11.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Cullom, Davidson, Dougherty, Feaman, Fithian, Henry, Hoard, James, Killpatrick, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Pearson, Ruggles, Slocumb, Stapp, Thompson, Warren, Willbanks, Worthington, and Wynne—27.

Mr. Stapp moved to refer the whole subject to a select committee of seven; which was agreed to.

Ordered, That Messrs. Thompson, Nunnally, Warren, Parrish, Baker, Dougherty, and Stapp be that committee.

On motion,
The Senate adjourned.

FRIDAY, DECEMBER 23, 1842.

The Senate met pursuant to adjournment.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Wynne presented a petition and a remonstrance of sundry citizens of Mason county, in relation to their county seat; the reading of which was dispensed with, and the same,

On motion of Mr. Wynne,
Referred to the committee on Counties.

Mr. Feaman presented the petition of sundry citizens of the town of Chester, in Randolph county, praying a repeal of the charter of said town; which was read, and,

On motion of Mr. Feaman,
Referred to the committee on Incorporations.

Mr. Buford presented the petition of the county commissioners of Lee county, praying for the passage of a law authorizing the laying of a yearly tax therein named, in that county; the reading of which was dispensed with, and the same,

On motion of Mr. Buford,
Referred to the committee on the Judiciary.

Mr. Speaker laid before the Senate a communication from the Governor, transmitting the correspondence of His Excellency and the Auditor and Fund Commissioner with the President of the State Bank of Illinois, by and on behalf of the directory of that institution, held in compliance with a joint resolution of the two Houses of the General Assembly, for the purpose of ascertaining upon what terms an amicable dissolution between the State and the banks could be effected &c.; which were read, and,

On motion of Mr. Ralston,
Referred to the committee on Finance.

On motion of Mr. Ralston,

The rules were dispensed with, and the message from the House of Representatives, containing a resolution providing for the appointment of a joint select committee to procure the printing of sundry rules, &c., was taken up, the resolution read, and,

On motion of Mr. Dougherty,
Amended, by striking all out after the words "each House."

The question was then taken on concurring with the House of Representatives in the adoption of the resolution, as amended, and decided affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, James, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Pearson, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—32.

Those who voted in the negative, are,

Messrs. Crain, Hoard, Johnson, Minard, Parker, Parrish, and Stapp—7.

Ordered, That Messrs. Dougherty and Ralston be the committee on the part of the Senate, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment.

On motion of Mr. Ralston,

The rules were dispensed with, and a bill for "An act providing for the appointment of bank commissioners, and defining their duties," was taken up;

Mr. Baker moved to refer the bill to the committee on Finance; which was not agreed to, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, Slocumb, Smith, Stapp, Waters, and Worthington—16.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Feaman, Hoard, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Thompson, Vandeventer, Warren, Willbanks, and Wynne—21.

A message from the House of Representatives, by Mr. Ewing, the Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have refused to concur with the Senate in the passage of the Senate's resolution proposing to raise a joint select committee to revise the laws of this State.

Mr. Baker made a motion to lay the bill under consideration on the table, and the yeas and nays being demanded thereon,

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Slocumb, Smith, Stapp, Thompson, Waters, and Worthington—19.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Feaman, Hoard, James, Leviston, Markley, Minard, Nunnally, Parrish, Pearson, Ralston, Vandeventer, Warren, Willbanks, and Wynne—19.

The Chair voting in the negative, the Senate refused to lay the bill on the table.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Cavarly,

The third section was amended by adding after the word "and," in the eleventh line, the words "said justice."

Mr. Davis moved to refer the bill to a select committee of five; which was decided in the negative, by yeas and nays, as follows, to wit:

Those voting in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davis, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Smith, Stapp, Waters, and Worthington—16.

Those voting in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Feaman, Hoard, James, Leviston, Markley, Minard, Nunnally, Parrish, Pearson, Ralston, Ryan, Slocumb, Thompson, Vandeverter, Warren, Willbanks, and Wynne—21.

Mr. Baker moved a call of the Senate, and after some time spent thereon, the further call was, on motion of Mr. Baker, dispensed with;

The question was then taken on the passage of the bill, and decided in the affirmative, by yeas and nays, as follows, to wit:

Those voting in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Dougherty, Feaman, Hoard, James, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Thompson, Vandeverter, Warren, Willbanks, and Wynne—23.

Those voting in the negative, are,

Messrs. Baker, Buford, Cullom, Fithian, Harrison, Henry, Johnson, Killpatrick, Pearson, Ruggles, Slocumb, Smith, Stapp, Waters, and Worthington—15.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Mr. Speaker laid before the Senate the following communication from R. W. English, Senator from the counties of Greene and Calhoun:

SPRINGFIELD, Dec. 22, 1842.

To the Hon. the SPEAKER

of the Senate:

SIR: In August last, I was duly elected a Senator for the Senatorial district composed of the counties of Greene and Calhoun, created by the apportionment law of 1841, and at the organization of the Senate I presented my credentials, to which no exceptions were taken, and was sworn into office. A question afterwards arose, as an election was held in the district composed of the counties of Greene and Jersey, as created under the old law, under a proclamation of the Governor, to fill the vacancy of John Allen, deceased, whether the district I represent was entitled to a Senator, and it was decided, not only by the principles laid down in the report of the select committee, but by a large majority of the Senate, on several votes, that it was; and on a direct vote it was also decided by the Senate that I was legally entitled to my seat as such Senator. This will clearly show that my claims to represent the counties of Greene and Calhoun are not without foundation, but were presented and considered by honorable Se-

nators in good faith. Subsequently, however, to this, the question came up as to whether the counties of Greene and Jersey had the right to elect a Senator to fill the vacancy of Mr. Allen, and myself occupy a seat for the new district composed of the counties of Greene and Calhoun at the same time. This, unexpectedly, brought Mr. Cavarly in conflict with me, and as the question which necessarily grew out of this state of things has already been a source of much difficulty in the Senate, and as I do not desire to trouble that honorable body further with the matter, or put the people of my district to the trouble of an election at this inclement season of the year and advanced period of the session, if it can be avoided, and sincerely hoping the course I feel bound to pursue will settle all disputes, I hereby respectfully tender my resignation as Senator from the district of Greene and Calhoun. Allow me, sir, in retiring from a body with which I have been for so short a time associated, composed of gentlemen, some of whom I have known from my boyhood, and others for many years, to express to them, through you, my gratitude for the courtesy and kindness I have received at their hands, and my best wishes for their present and future happiness, and accept for yourself the assurance of my high regard.

REVIL W. ENGLISH.

The Speaker laid before the Senate a communication from M. Carpenter, State Treasurer, relative to the amount of money of the State Bank of Illinois and Bank of Illinois now in his possession &c. &c.; which was read, and,

On motion of Mr. Stapp,

Laid on the table.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed bills of the following titles, to wit:

A bill for "An act to provide for the receipt of the distributive share of this State of the proceeds of the sales of the public lands;" and

A bill for "An act supplementary to the several acts defining the duties of the Public Printer."

In which they ask the concurrence of the Senate.

Mr. Pearson introduced a bill for "An act to tax lands five years from the sale;" which was read the first time, and

Ordered to a second reading.

Mr. Slocumb introduced a bill for "An act for the relief of Calvin Gold;"

Mr. Willbanks introduced a bill for "An act providing for assessments, and the collection of taxes;"

Mr. Johnson introduced a bill for "An act to attach one tier of sections to the western boundary of Bond county;"

Mr. Killpatrick introduced a bill for "An act to repeal all laws authorizing the payment of bounties on wolf scalps by the State;"

Mr. Pearson introduced a bill for "An act to fix the tenure of certain officers;"

Mr. Willbanks introduced a bill for "An act for the relief of Levinia Joliff;" and

Mr. Johnson introduced a bill for "An act to increase the number of

justices of the peace in the justice's district therein named;" which bills were severally read the first time, and

Ordered to a second reading.

Mr. James, on leave, introduced a bill for "An act for the location of a State road in the counties of Monroe and St. Clair;" which was read a first time, and

Ordered to a second reading.

Mr. Catlin offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of providing by law for the reception, preservation, and safe keeping of all the field notes, maps, records and other papers, appertaining to land titles within this State, whenever the same shall be ready to be delivered over, as contemplated by the act of Congress, approved June 12th, 1840, and to report by bill or otherwise.

Mr. Davidson, on leave given, introduced a bill for "An act making partial appropriations;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rules were dispensed with, and said bill read a second time by its title, when,

On motion of Mr. Warren,

The same was amended by adding to the end thereof the words "and to the copyists of each House."

Ordered, That the bill be engrossed for a third reading.

Mr. Pearson, on leave obtained, introduced a bill for "An act to elect Prosecuting Attorneys;" which was read a first time, and,

On the question—"Shall the bill be ordered to a second reading?"

It was decided in the affirmative, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Crain, Davis, Dougherty, Fithian, Harrison, James, Leviston, Markley, Nunnally, Parker, Parrish, Pearson, Smith, Stapp, Thompson, Warren, Waters, Willbanks, and Wynne—20.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Davidson, Feaman, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Ralston, Ruggles, Ryan, Slocumb, and Worthington—17.

On motion of Mr. Pearson,

The Senate resolved itself into a committee of the whole; Mr. Harrison in the Chair, to take into consideration a bill for "An act to amend 'An act relating to the sale of property.'"

After some time spent therein, the committee rose, and by their chairman, reported progress, and asked and obtained leave to sit again.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 24, 1842.

Senate met pursuant to adjournment.

Mr. Markley presented a petition, with one hundred and thirty signers, for a State road in Fulton county; the reading of which was,

On motion of Mr. Markley,

Dispensed with, and referred to the committee on Public Roads.

Mr. Barnett, from the committee on Counties, to whom was referred a bill from the House of Representatives, for "An act for the permanent location of the county seat of Lake county," reported the same back without amendment, and recommended its passage.

The bill was then ordered to a third reading.

Mr. Ralston offered for adoption the following resolution, which, under the rule, lies one day on the table.

Resolved, That the committee on Finance be instructed to examine the printed reports of the Senate of the last session, and ascertain and report whether or not the same have been correctly printed; and if substantial errors in the printing thereof shall be found, ascertain if practicable, who committed the errors, and how the same may be best corrected.

Mr. Waters offered for adoption the following resolution, which, under the rule, lies one day on the table:

Resolved, That the committee on School Lands and Education be instructed to inquire into the expediency of revising, abridging and simplifying the school law of this State, so as to make it easy of comprehension.

Mr. Cullom introduced a bill for "An act to amend an act entitled 'An act to establish a ferry across the Illinois river,' approved February 23d, 1841, which was read the first time, and

Ordered to a second reading, and,

On motion of Mr. Cullom,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on Internal Navigation.

Mr. Pearson introduced a bill for "An act to re-establish the office of Treasurer of Illinois," which was read the first time, and

Ordered to a second reading.

Mr. Dougherty, from the committee on Incorporations, on leave, introduced a bill for "An act concerning corporations;" which was read the first time, and

Ordered to a second reading.

The resolution offered by Mr. Stapp, instructing the committee on the Judiciary to inquire into the expediency of increasing the number of judicial circuits in this State, and of providing by law for the reduction of Supreme Judges, as vacancies may happen &c., as modified by him, was taken up and adopted.

The resolution offered by Mr. McMurtry, instructing the committee on Finance to inquire into the expediency of making the offices of assessor and collector in each county elective by the people, was taken up and adopted.

The resolution reported by Mr. James from the committee on Finance, constituting the Finance committees of the two Houses a joint committee to examine the offices of the Auditor of Public Accounts and Treasurer of State, &c., was taken up and adopted.

Ordered, That the Secretary inform the House of Representatives thereof and ask their concurrence therein.

The resolution offered by Mr. Catlin, instructing the committee on the Judiciary to inquire into the expediency of providing by law for the reception, preservation, and safe keeping of certain field notes, &c., was taken up and adopted.

Senate bill for "An act to authorize the Governor to appoint States' Attorneys," was taken up, read a third time,

And on the question—"Shall the bill pass?" it was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Davidson, Dougherty, Feaman, Fithian, Henry, Hoard, James, Johnson, Killpatrick, Minard, Ralston, Ruggles, Ryan, Slocumb, Thompson, Willbanks, and Worthington—21.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davis, Harrison, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Smith, Stapp, Vandeventer, Warren, Waters, and Wynne—17.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion,

The Senate adjourned.

MONDAY, DECEMBER 26, 1842.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed a bill for "An act entitled 'An act regulating the sale of property on judgments and executions.'"

In in the passage of which they ask the concurrence of the Senate.

Mr. Parker, from the committee on Public Roads, to whom was referred a bill for "An act to amend an act entitled 'An act concerning public roads,'" approved February 20th, 1841, reported the same back without amendment, and recommended its rejection.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the affirmative, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Cullom, Davidson, Fithian, Harris, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Minard, Nunnally, Pearson, Ruggles, Ryan, Smith, Thompson, Warren, and Worthington—24.

Those who voted in the negative, are,

Messrs. Crain, Davis, Feaman, James, Parker, Parrish, Ralston, Slocumb, Stapp, Vandeventer, Waters, and Willbanks—12.

On motion of Mr. Henry,

The rules of the Senate were dispensed with, and a bill from the House of Representatives for an act entitled "An act regulating the sale of prop-

erty on judgments and executions,' " was taken up, read the first time, and
Ordered to a second reading, and,

On motion of Mr. Henry,

The rules of the Senate were dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Henry,

Referred to the committee on the Judiciary.

On motion of Mr. Cavarly,

The committee of the whole Senate was discharged from the further consideration of a bill for "An act to amend 'An act regulating the sale of property,' " and, on his further motion, said bill was referred to the committee on the Judiciary.

Mr. Ralston, from the committee on the Judiciary, to which had been referred a bill for "An act relating to the recording or registering of conveyances or other instruments in writing, executed out of the State, and within the United States," reported the same back to the Senate, and recommended the following amendment to said bill:

Strike therefrom the proviso.

On motion of Mr. Baker,

Ordered, That the amendment be amended by striking out the word "shall" from the proviso, and inserting instead of it, the word "may," and by adding to the end of the proviso, the following:

"Which shall be *prima facie* evidence that the proof or acknowledgment is made according to the laws of said State."

The question was then taken upon concurring with the committee in their amendment, and decided in the negative.

Ordered, that said bill be engrossed for a third reading.

Mr. Ralston, from the committee on the Judiciary, which had under consideration a resolution offered by Mr. Stapp, instructing that committee to inquire into the expediency of a law in relation to confessions of judgment, reported the same back to the Senate, and was discharged from its further consideration.

On motion of Mr. Ralston,

Ordered, That said resolution be laid on the table until the 4th of July next.

Mr. Ralston, from the same committee, which had under consideration a resolution offered by Mr. Smith, instructing that committee to inquire into the expediency of making an alteration in the school law, reported the same back to the Senate, and asked to be discharged from the further consideration of the subject.

The committee were discharged, and the resolution,

On motion of Mr. Ralston,

Laid on the table until the 4th July next.

Mr. Dougherty, from the committee on the Judiciary, to which had been referred a bill for "An act to punish the crime of incest," reported the same back to the Senate, with an amendment, which was concurred in, and said bill

Ordered to be engrossed for a third reading.

Mr. Parker, from the committee on Public Roads, to which had been referred the petition of one hundred and thirty citizens of Fulton county,

praying &c., reported a bill for "An act to locate a State road from Utica to Killa's landing, in Fulton county; which bill was read, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rules were dispensed with, and the bill from the House of Representatives, for "An act to incorporate the Mechanics' Institute in the city of Chicago," was taken up, read a second time, and

Ordered to a third reading.

On motion of Mr. Hoard,

The rules were further dispensed with, and the said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary acquaint the House of Representatives therewith.

Mr. Minard, from the committee on Finance, which had [under consideration the resolution offered by Mr. Smith, instructing that committee to inquire into the expediency of memorializing Congress for a change in the terms of compact by which the State of Illinois was admitted into the Union, &c., made a report, which was read, and,

On motion of Mr. Ralston,

Said resolution was laid on the table until the 4th of July next.

Mr. Dougherty, from the committee on Incorporations, to which was referred a bill for "An act to re-locate First street, in the town of St. Charles, in Kane county," reported the same back to the Senate, and recommended its passage.

Ordered, That said bill be engrossed and read a third time.

The Chair appointed Mr. Harrison to be a member of the committee, whose duty it is to report a bill districting the State into Congressional districts, in the place of Mr. Ruggles, who had been named on said committee in connection with Mr. Minard, in the ninth judicial circuit, through mistake.

Mr. Pearson offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate and the House of Representatives, That we recommend to the people of this State, the call of a convention, for the purpose of making the following amendments to the Constitution:

1st. To abolish the Council of Revision.

2d. To limit the number of members in both Houses, so that the Senate shall not exceed forty members, until the population shall reach two millions, and the members of the other House shall not exceed one hundred until the population shall reach the number aforesaid.

3d. To elect the circuit judges and all other officers, except the Judges of the Supreme Court, Auditor, Treasurer, and Attorney General, directly by the people.

4th. To fix the tenure of their offices, as well as that of the Supreme Judges, not exceeding six years, but eligible to re-election.

5th. To inhibit any subsequent Legislature from borrowing money, exceeding fifty thousand dollars, without first submitting the proposition of the State debt to the people for their sanction.

6th. To make all taxes uniform, to be paid according to the value of property, including bank stock, money loaned, and all other things denominated property.

7th. To prevent the establishment of any bank or corporation, authorizing the issuing of paper as money, exceeding the capital stock and specie in the vaults of the bank.

8th. To authorize the re-election of the Governor but for a term not exceeding three years, and Senators not exceeding three years.

9th. To abolish the chancery practice, so that hereafter courts of law shall decide both questions of law and equity.

10th. That no session of the General Assembly shall last longer than eight weeks, unless the reasons for a longer period are spread upon the journals and sanctioned by a majority of two-thirds of each branch.

11th. That no act of incorporation shall be created, except by a vote of two-thirds of the General Assembly, and may be repealed whenever the public good requires it, by a like majority.

Mr. Hoard offered for adoption the following preamble and resolution, which, under the rule, lie one day on the table:

Whereas, it is conceived to be the duty of man, under all circumstances in life, to evince his reliance in and his dependence upon an all-wise and Omnipotent Creator: *And whereas*, it is the peculiar duty of those who are assembled for the purpose of deliberating upon and adopting such laws as shall be calculated to promote the welfare and happiness of their fellow man: *And whereas*, under such circumstances, it is considered appropriate that in all deliberative bodies so convened, wisdom and direction from the Ruler of the Universe should be invoked; therefore,

Resolved, That a committee of two be appointed to correspond with all of the regularly officiating clergymen of the city of Springfield, and respectfully solicit them to open our daily deliberations, with short and appropriate prayer, in alternate succession. That it shall be the duty of such committee to state in their correspondence, the financial embarrassments of the State, and that the principal objections to the adoption of this practice, originate in a desire to retrench and keep down, as far as possible, all the expenses of the Government; and that to obviate this objection, it is desirable they should perform such services gratuitously.

Mr. Dougherty introduced a bill for "An act granting a ferry to Thos. Eagan;" which was read, and

Ordered to a second reading.

Mr. Davis moved that the Senate adjourn; which was not agreed to.

Mr. Killpatrick moved that the Senate adjourn to 2 o'clock, P. M.; which was not agreed to.

The resolution offered by Mr. Waters, instructing the committee on School Lands and Education to inquire into the expediency of revising, abridging, and simplifying the school laws, was taken up and adopted.

The resolution offered by Mr. Ralston, instructing the committee on Finance to examine the printed reports of the Senate of the last session, and report &c., was taken up and adopted.

Engrossed bill for "An act making partial appropriations," was taken up, read a third time, and,

On motion of Mr. Nunnally,

Amended by adding thereto the following:

"And to the Secretary of the Council of Revision."

Mr. Ralston offered the following amendment, to be added to the end of the bill:

"And two dollars a day to R. W. English, Reuben Harrison, James Gillham, and Joel A. Matteson, for each day they acted as members of the Senate;" which was,

On motion of Mr. Cavarly,

Laid on the table.

Mr. Baker moved that the Senate adjourn; which was agreed to, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Crain, Davidson, Davis, Dougherty, Feaman, Fithian, Harris, Harrison, Henry, Houston, James, Killpatrick, McMurtry, Nunnally, Ryan, Slocumb, Stapp, and Worthington—19.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Cullom, Hoard, Johnson, Leviston, Markley, Minard, Parker, Parrish, Pearson, Ralston, Ruggles, Smith, Vandeventer, Warren, Waters, and Willbanks—18.

TUESDAY, DECEMBER 27, 1842.

Senate met pursuant adjournment.

Mr. Ralston, from the committee on the Judiciary, to which had been referred a bill for "An act to legalize the sale of land for taxes in the county of Scott," made report, recommending the rejection of the bill; which report was read, and,

On the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative.

Mr. Cavarly, from the committee on the Judiciary, to which had been referred a bill for "An act concerning the recorder of Greene county," reported the same back to the Senate, with a substitute therefor; which last was concurred in, and

Ordered to be engrossed and read a third time.

Mr. Stapp offered for adoption the following resolution, which lies on the table one day:

Resolved, That there shall be elected at the present session of the General Assembly three persons well skilled in the laws, to revise and condense all the laws of this State, of a general nature, that were in force at the commencement of this session of the General Assembly, and that they be required to present the same to the General Assembly before the end of its present session, for their consideration and approval.

Mr. Killpatrick offered for adoption the following resolutions, which severally lie one day on the table:

Resolved, That the committee on Roads be instructed to inquire into the expediency of so amending the road laws of this State, as to authorize and require the county commissioners to secure a relinquishment of the right of way to all State and county roads in their respective counties.

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the revenue laws of this State, so as to have the land divided into first, second, and third rate, and the price or rate of valuation of each rate fixed by law, so as to arrive at uniformity of valuation in the different counties in the State.

Mr. Warren offered for adoption the following resolution, which lies one day on the table:

Resolved, That, in the opinion of the Senate, Alfred W. Cavarly was legally and constitutionally elected to fill the vacancy occasioned by the death of the Hon. John Allen.

Mr. Pearson, on leave, introduced a bill for "An act regulating the presentation of bills of exchange and promissory notes;" also, a bill for "An act to amend the attachment law;" and,

Mr. Leviston, on leave, introduced a bill for "An act to change the place of entering up judgment for taxes;" which bills were severally read, and

Ordered to a second reading.

Mr. Harrison, on leave, introduced a bill for "An act authorizing a lottery to raise funds for school and other purposes;" which was read, and,

On motion of Mr. McMurtry,

Laid on the table until the 4th of July next, by the following vote:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Cullom, Davis, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—37.

The preamble and resolution offered by Mr. Hoard, in relation to the procuring of chaplains to the Senate, was taken up for consideration.

Mr. McMurtry moved to amend the preamble and resolution by striking them out, and adopting in lieu thereof, the following:

"Whereas, economy and retrenchment being the order of the day: *And whereas*, it being necessary to employ the time of the Legislature in doing the business of the State with as much despatch as possible: *And whereas*, the employment of a chaplain would be an unnecessary waste of time and money; therefore,

"Resolved by the Senate, That the hour of adjournment of the Senate shall be nine o'clock, A. M., until otherwise ordered; and that we will not employ a chaplain during the present session of the Legislature."

Mr. Cavarly called for a division of the question; which being taken, first upon striking out,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Crain, Davidson, Davis, Feaman, Harris, James, Markley, McMurtry, Nunnally, Worthington, and Wynne—13.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Cullom, Dougherty, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Leviston, Minard, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Willbanks—27.

On motion of Mr. Henry,

The resolution was amended by striking out all after the word "Resolved," and inserting the following instead thereof:

"That the Speaker of the Senate be requested to desire the different preachers, residing in the city of Springfield, to open the morning session of the Senate by prayer, each one officiating in turn."

Mr. Dougherty moved to lay the preamble and resolution on the table; which was not agreed to, by the following vote:

Those who voted in the affirmative, are,

Messrs. Catlin, Crain, Davidson, Davis, Dougherty, Feaman, Harris, James, Markley, McMurtry, Nunnally, Waters, Worthington, and Wynne—14.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Leviston, Minard, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, and Willbanks—26.

Mr. Dougherty made a motion to amend the resolution by adding to the end of it the following: "excepting, however, Mormon preachers."

On motion of Mr. Ralston,

The amendment was laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Crain, Cullom, Davis, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Houston, James, Killpatrick, Leviston, Markley, McMurtry, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Smith, Stapp, Thompson, Vandeventer, and Wynne—30.

Those who voted in the negative, are,

Messrs. Davidson, Dougherty, Johnson, Minard, Nunnally, Slocumb, Warren, Waters, Willbanks, and Worthington—10.

Mr. Warren moved to amend the resolution by adding the following:

"And that each Senator shall kneel down during prayer;" which was,

On motion of Mr. Killpatrick,

Laid on the table, by the following vote:

Those voting in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Henry, Hoard, Houston, Johnson, Killpatrick, Minard, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Smith, Stapp, Thompson, Vandeventer, Willbanks, and Worthington—22.

Those voting in the negative, are,

Messrs. Catlin, Crain, Davidson, Davis, Dougherty, Feaman, Fithian, Harris, Harrison, James, Leviston, Markley, McMurtry, Nunnally, Slocumb, Warren, Waters, and Wynne—18.

Mr. Baker moved the previous question; and,

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

The question was then taken upon the adoption of the preamble and resolution, as amended, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Cullom, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Leviston, Minard, Parker, Parrish, Pearson, Ralston, Ruggles, Ryan, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Willbanks—25.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Davidson, Davis, Dougherty, Feaman, Harris, James, Markley, McMurtry, Nunnally, Slocumb, Worthington, and Wynne—15.

The resolution offered by Mr. Pearson, recommending the call of a

convention to amend the Constitution of this State, was taken up for consideration; when,

Mr. Killpatrick moved to refer the same to the committee on Retrenchment.

Mr. Parrish moved to lay it on the table until the 4th of July next.

Mr. Pearson moved a call of the Senate; which proceeded for a short time, and was, on motion of Mr. Stapp, dispensed with.

On motion of Mr. Pearson,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with them in the passage of a bill for "An act making partial appropriations."

They have also concurred with the Senate in the adoption of their resolution requiring the standing committees on Finance of both Houses, to examine the offices of the Auditor and Treasurer of State, and report to this House their condition; as amended by them, in which amendment they ask the concurrence of the Senate. Amend as follows:

Strike out all after the word "instructed," in the third line of the resolution, and insert the following words: "To examine into the condition and previous management of the affairs of the offices of the Auditor of Public Accounts and the Treasurer of State, and that they report as early as may be, to the General Assembly, the result of their inquiries."

They have also concurred in the Senate's amendment to a memorial originating in the House, addressed to the Congress of the United States praying the passage of a law granting pre-emption rights of two hundred and forty acres, extending to fifteen years, and donations of eighty acres to actual settlers &c.

The House has also concurred in the Senate's amendment to the resolution originating in the House, requiring certain other matter to be printed with the rules, and rules of both Houses.

The question pending at the adjournment being upon the motion of Mr. Parrish to lay the resolution offered by Mr. Pearson, relating to a call of a convention to amend the Constitution, on the table until the 4th of July next,

Mr. Ralston moved to lay the resolution on the table; which was agreed to.

On motion of Mr. Cavarly,

Ordered, That the order of business be suspended, so as to permit standing committee to report now.

Mr. Cavarly, from the committee on the Judiciary, to which had been referred a bill for "An act to amend 'An act regulating the sale of property,'" and a bill from the House of Representatives for "An act, entitled an act regulating the sale of property on judgments and execution," reported them back to the Senate, and recommended that all after the enacting clause of the latter bill be stricken out, and that the former bill after the

enacting clause thereof, with an amendment, be inserted in lieu of the bill from the House.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have adopted the following resolution, in which they ask concurrence of the Senate, viz:

Resolved by the House of Representatives, the Senate concurring herein, That a joint select committee of three on the part of the House, and two on the part of the Senate, be appointed to examine into the accounts of Doctor Barret and James Barret, late Fund Commissioners, also John D. Whiteside, present Fund Commissioner; that said committee report to this House the amount of State bonds received by each of them, and the amount of money received by each commissioner; the source from which the same was received, and the manner in which it has been expended or laid out; and that in order to secure a full and complete investigation into each and every of these transactions respectively, as such Fund Commissioners, that said committee have power to send for persons and papers, and that said committee report to this House at their earliest convenience; and have appointed Messrs. Davis of Bond, Murphy and Weatherford, to be the committee on the part of the part of the House.

On motion of Mr. Pearson,

The Senate resolved itself into committee of the whole, to take into consideration the bills this afternoon reported back to the Senate, by the committee on the Judiciary, and the report thereof.

After some time, the committee rose, and, by Mr. Baker, their chairman, reported that they had made progress, and asked and obtained leave to sit again, when;

Mr. Baker moved that the committee of the whole have leave to sit again on to-morrow at 2 o'clock, P. M.; which was not agreed to.

On motion of Mr. Cavarly,

Ordered, That the committee have leave to sit again on to-morrow at 11 o'clock, A. M.

Mr. Crain, from the committee on Enrolled Bills, reported as correctly enrolled, "An act making partial appropriations," and that the same had been on to-day laid before the Council of Revision.

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 28, 1842.

Senate met pursuant to adjournment.

Mr. Harris presented the petition of sundry citizens of Macoupin county, praying for the passage of a relief law; which was read, and,

On motion of Mr. Harris,

Referred to the committee on Petitions.

Mr. Wynne presented the petition of sundry citizens of Mason county, praying the passage of a law locating a road therein named; also, the petition of Henry Wigginton, praying for a law authorizing him to keep a ferry across the Illinois river at Mantanzas; the reading of which was dispensed with, and the same,

On motion of Mr. Wynne,

Referred the committee on Public Roads.

Mr. Hoard, from the select committee to which had been referred the petition of sundry inhabitants of Cook county, praying for the passage of an act in relation to an index for the records of the several counties of this State, reported a bill for "An act requiring the county commissioners' courts of the several counties of this State to provide a general index for their county records and for other purposes;" which was read, and

Ordered to a second reading.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

The Speaker laid before the Senate the following communication:

EXECUTIVE DEPARTMENT,
Springfield, December 27, 1842.

To the Senate:

I nominate Oliver Whitaker, to be notary public for the county of Stark, in the place of Christopher Sammis, who has removed from said county.

THOMAS FORD.

Springfield, December 27, 1842.

I, Norman H. Purple, of Peoria, in the county of Peoria and State of Illinois, do certify that Christopher Sammis, formerly notary public in and for the county of Stark, has removed from said county to the county of Peoria, and established a permanent residence in said county.

N. H. PURPLE.

On motion of Mr. Baker,

Said communication was acted upon with open doors, and,

On motion of Mr. Cavarly,

Ordered, That the Senate do now advise and consent to the above nomination of Oliver Whitaker.

Mr. James offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary, be instructed to inquire into the expediency of so amending the attachment law as to provide for the issuing of attachments, by justices of the peace, on account of demands amounting to one hundred dollars and under, upon affidavit made by the plaintiff that the person against whom the attachment is sought to be sued out, is about to sell or dispose of his property for the purpose of avoiding the payment of his debts, or that he is about to depart from this State with the intention of removing his effects therefrom, and that they report by bill or otherwise.

Mr. Johnson, on leave, introduced a bill for "An act regulating interest at six per cent.;" which was read, and

Ordered to a second reading.

Mr. Stapp, on leave, introduced a bill for "An act to repeal portions of 'An act to provide for the payment of interest on [the 'public debt,' approved February 27, 1841;]" which was read, and

Ordered to a second reading.

Mr. Davidson, on leave, introduced a bill for "An act in relation to judgments and executions;" which was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rules were dispensed with, and the bill read a second time by its title, and

Referred to the committee on the Judiciary.

The resolution offered by Mr. Killpatrick, instructing the committee on the Judiciary, to inquire into the expediency of making an amendment to the revenue laws therein named, was taken up and adopted.

The following message was received from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to communicate to the Senate the letter of resignation of Judge Theophilus W. Smith, addressed to the General Assembly, and first communicated to the House.

I am also directed to inform the Senate, that the House have adopted the following preamble and resolutions; in the passage of which they ask the concurrence of the Senate:

Whereas, the State of Illinois, in common with many of her sister states of this Union, is now laboring under financial embarrassment: *And whereas*, under our former policy, public works were commenced and prosecuted, and vast and extravagant schemes of internal improvement adopted, utterly disproportioned to our resources and means: *And whereas*, these measures had their origin in the delusions incident to one of those periodical excitements, which in Europe as well as this country, have led states and individuals into inordinate speculations, uniformly terminating in bankruptcy and ruin: *And whereas*, under the influence of this delusion, former Legislatures have contracted debts in times of great apparent prosperity, which we are now, in a period of depression and financial adversity, utterly unable to liquidate: *And whereas*, doubts are said to exist in the minds of our public creditors as to the intention of the people of this State respecting the legal and moral obligations of fulfilling these contracts and paying these debts: *And whereas*, it is essential to the well being of nations, as it is of individuals, to maintain an unblemished reputation, and sustain their dignity and honor, and that every individual in the nation is interested in sustaining and preserving that honor, not only from disgrace, but even from suspicion: *And whereas*, this Legislature, recently elected by the people, imbued with their opinions and feelings, and cognizant of their intentions respecting this subject, deem it due to themselves, to the people they represent, to the public creditors, and to their hitherto unsullied fame in the eyes of the world, to promulgate the following resolutions, embodying the sentiments of the people of the State of Illinois:

Resolved by the House of Representatives, the Senate concurring herein, That we fully recognize the legal and moral obligation of discharging with punctuality every debt contracted by any authorized agent or agents of this State, for a good and valuable consideration; and that the resources and revenues of the State, shall be appropriated for that purpose, as soon as they can be made available without impoverishing and oppressing the people.

Resolved, That our failure hitherto to meet our obligations, has not arisen from any intention on the part of the Legislature, or any respectable portion of the people, to repudiate or evade these obligations; and that we utterly detest and abhor the repudiation of just debts by states or individuals, as immoral, dishonorable and destructive of private and public character.

Resolved, That such failure is wholly attributable to causes involving the commercial nations of Europe, as well as this country, over which we had but limited control; that, seduced by an inflated currency and the consequent apparent prosperity, we contracted these debts, vainly hoping that a corresponding state of prosperity would enable us to develop our rich resources, and make them available to meet our obligations; that a rapid and almost unprecedented contraction and depreciation of the currency, caused a corresponding depreciation in the value of property, crippled our resources, dried up the sources of revenue, and produced universal embarrassment, and a pressure which can only be removed by the slow operation of active and patient industry.

Resolved, That the inflation of the currency had its origin and aliment in the over action of the "credit system," both in England and this country; that each nation contributed to swell the tide of excitement and speculation, which, a few years ago rolled over both nations, and to which each in its turn became a victim; that its consequences were manifested in England by embarrassment and distress, and multitudes of failures and bankruptcies in 1839, and that the manifestations of such effects, from the operation of similar causes in so rich and powerful a country, should be a sufficient apology for the inability of a people, circumstanced as we are, to meet our obligations, without a suspicion of base or dishonorable motives.

Resolved, That we do not regard a failure on the part of individuals or nations to pay their debts as base or dishonorable, when such failure proceeds from inability and inevitable circumstances; that history furnishes examples of other nations, now high on the roll of fame, where circumstances not more imperious than ours, such as the South sea speculation in England, and the Mississippi bubble in France, compelled a sacrifice of public and private obligations without impairing the character and honor of those nations.

Resolved, That the actual debt of Illinois, for which no means are appropriated, is insignificant when compared with our great natural resources; that our population in the course of a few years, according to the rates of augmentation, will amount to one million of people; and that our wealth and resources will be increased in a greater ratio; that the surplus productions of our rich soil, even with our present population, would be amply sufficient to enable us to meet all our liabilities, could they be converted into money at reasonable prices, and that we must only await with patience that period, which cannot be remote, when a sufficient amount of sound currency will be in circulation to secure to our agricultural population a fair price for their productions, and enable them to pay all necessary taxes, to meet the wants of the Government at home, and discharge with integrity all our obligations to our creditors abroad.

The resolution offered by Mr. Stapp, in relation to the election by the General Assembly, of three persons to revise the laws of this State, was taken up, and on his motion,

Referred to the committee on the Judiciary.

On motion of Mr. Cavarly,

The Senate resolved itself into a committee of the whole, again to take into consideration the report of the committee on the Judiciary, which had occupied the attention of the committee of the whole Senate on yesterday; after some time spent therein, the committee rose, and by Mr. Baker, their chairman, reported the report back to the Senate, with sundry amendments, and asked their concurrence.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question pending at the adjournment being upon the concurrence of the Senate in the report of the committee of the whole, in their amendments to the report of the committee on the Judiciary,

Mr. Baker moved to refer the whole subject to a select committee of five, with the following instructions:

To report a bill providing,

1st. For the absolute exemption of personal property enough from execution to prevent any family from being deprived of the means of living.

2d. For the appraisement and valuation of all personal property taken by virtue of any process, or decree, or order, whatsoever, to prevent its sale unless it shall bring two-thirds of its appraised value, and to prevent the harrassing by the creditor, or unreasonable delay by the debtor.

3d. To make all sales of real estate, under any process, sale, decree, order, mortgage, deed of trust, or any other incumbrance, subject to the right of redemption for the term of two years from the sale, with reasonable interest on the purchase.

4th. To limit the operation of this law to a reasonable time.

5th. To provide that all debts created before the passage of the property law of 1841, shall be liable to its provisions, notwithstanding any renewal of said debt by note or otherwise.

Mr. Warren moved to lay the motion of Mr. Baker on the table.

Mr. Harris moved a call of the Senate, which proceeded for a short time, and was then, on motion of Mr. Baker, dispensed with.

The question was then taken on the motion of Mr. Warren to lay the motion of Mr. Baker on the table, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Crain, Harris, Henry, Johnson, Leviston, Markley, McMurtry, Nunnally, Parker, Smith, Vandevanter, Warren, Willbanks, and Wynne—16.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Killpatrick, Minard, Parrish, Ralston, Ruggles, Ryan, Slocumb, Stapp, Thompson, Waters, and Worthington—22.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following preamble and resolution:

Whereas, in making the late treaty with the British government, all questions were not settled, and thereby the territory of Oregon is left in dispute between the government of the United States and the government of Great Britain; therefore,

Resolved by the House of Representatives of the State of Illinois, the Senate concurring herein, That our Senators in Congress be instructed, and our Representatives requested, to use their efforts to procure the adoption of the proper measures to establish the north-western boundary, and to settle the controversy between the United States government and the kingdom of Great Britain, in relation to said boundary.

In the adoption of which they ask the concurrence of the Senate.

Mr. Catlin moved to amend the motion of Mr. Baker by adding to the instructions the following:

"And that the committee so frame their bill as to exempt from execution forty acres of land on which the owner resides;" which was not agreed to.

The question was then taken upon the motion of Mr. Baker to refer, with the instructions, and decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Killpatrick, Minard, Ralston, Ruggles, Ryan, Slocumb, Stapp, Thompson, and Worthington—20.

Those voting in the negative, are,

Messrs. Barnett, Cavarly, Crain, Harris, Henry, Johnson, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Smith, Vandeverter, Warren, Waters, Willbanks, and Wynne—18.

Ordered, That Messrs. Dougherty, Baker, Cavarly, Thompson, and Smith be the committee.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 29, 1842.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed bills of the following titles, to wit:

A bill for "An act to legalize the assessment of taxes in the counties of Mercer, St. Clair, Macoupin, and other counties, for the year 1842;

A bill for "An act to alter the provisions of 'An act making provisions for organizing and maintaining common schools,' approved February 26th, 1841;"

A bill for "An act relating to chancery practice;"

A bill for "An act to enable the inhabitants of incorporated townships to dissolve their incorporations;

A bill for "An act to amend the charter of the city of Chicago;"

A bill for "An act in relation to official bonds;"

A bill for "An act relative to probate justices of the peace;"

A bill for "An act to amend an act entitled 'An act to provide for leasing the saline reserves in Jackson county, and for granting pre-emption rights to certain persons therein named;'"

A bill for "An act for the relief of the widow and heirs of Tyler D. Hewitt, deceased, late commissioner of saline lands;"

A bill for "An act to compensate Henry Brown for services rendered as State's Attorney in the seventh judicial circuit;" and

A bill for "An act to provide for the collection of the revenue due from delinquents in the county of Gallatin for the year 1841."

In the passage of which bills they ask the concurrence of the Senate.

I am further directed to inform the Senate, that the House have concurred with the Senate in the passage of

A bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties in this State,' approved February 26, 1841."

Mr. Speaker laid before the Senate a communication from the Hon. Theophilus W. Smith, containing his resignation of the office of associate Justice of the Supreme Court of the State of Illinois; to take effect and be absolute from and after the 26th day of the present month; which was read, and,

On motion of Mr. Davidson,

Laid on the table.

Mr. Speaker laid before the Senate the proclamation of his Excellency Thomas Carlin, bearing date on the 12th ultimo, and appointing the last Thursday in December, instant, as a day of thanksgiving throughout the State; which was read.

Mr. Dougherty presented the petition of sundry citizens of Union and Johnson counties, praying that the General Assembly memorialize Congress on the subject of allowing a full pension to Hezekiah West, a revolutionary pensioner; the reading of which was dispensed with, and the petition,

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Markley, and Warren be that committee.

In pursuance of the above named proclamation, appointing this day to be a day of thanksgiving,

On motion of Mr. Killpatrick,

The Senate adjourned.

FRIDAY, DECEMBER 30, 1842.

The Senate met pursuant to adjournment.

Mr. Smith, from the majority of the select committee to which had been referred the report of the committee on the Judiciary upon the Senate and House bills on the subject of regulating the sale of property, together with amendments made thereto by the committee of the whole Senate, and instructions from the Senate, made report that they had given the whole subject serious consideration, and recommended the passage of the bill from the House with an amendment.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision, to inform the Senate, that they have approved "An act making partial appropriations."

Pending the question upon concurring with the select committee, in the amendment reported by them,

Mr. Baker moved to amend the amendment, by striking it out, and inserting in lieu of the same, the bill from House referred to, with the first section thereof stricken out, and the following inserted instead of it:

"That when any execution, fee bill, or attachment shall be issued out of any of the courts of this State, whether of record or not, and shall be levied on any personal property, it shall be the duty of the officer levying such process, to summon three disinterested house-holders of the vicinity where such property is levied on, one of whom may be chosen by the defendant in execution, and one by the plaintiff, and one by the officer: *Provided*, in all cases, where either party shall neglect or fail to make such choice, or in case of a choice, such appraisers shall fail, refuse, or neglect to make such appraisement, it shall be the duty of the officer to choose or summon said appraisers for them, and the said officer shall administer an oath to said house-holders, well and truly to value all such property as may be by him pointed out, at its fair and reasonable value in ordinary times, and they, or a majority of them, shall make out a list of said property so valued, annexing the valuation of each article or species of property thereto, and sign the same; which list shall be annexed to the execution, and when such property shall be offered for sale it shall not be struck off unless two-thirds of the valuation thereof shall be bid for the same: *Provided, always*, that the plaintiff in execution may select on what property, either real or personal, he will have the same levied, except the homestead on which the defendant resides, which shall be last taken, and excepting the articles now exempted by law from execution.

"**SEC. 2.** The provisions of the first and all succeeding sections of this bill shall apply to real as well as personal property in the following cases: First, in all cases where the debt or liability, on which the sale is to be made, was in existence before the first day of May, 1841. Second, in all cases where any debt or liability, on which sale is to be made, existed previously to the first day of May, 1841, and has been changed, altered, or renewed by any subsequent contract or agreement; and in any and all such cases, whether judgment has now been obtained, or may be hereafter obtained on the said debt or liability, the defendant in execution, or some creditable person, may file an affidavit with the officer levying such process stating such fact, who shall, if practicable, give notice of the same to the plaintiff, his agent, or attorney, who may likewise by himself, or some creditable person, file a counter affidavit, denying said fact, whereupon, if the levy shall be made or about to be made on real estate, the said officer shall stay all proceedings until the next term of the circuit court for the proper county, and report the facts in controversy, together with all papers and proof relating to the same to the court, who shall hear and determine the facts as upon motion; both parties being allowed to make proof by affidavit, and order the sale to be made according to the provisions of this law, as the case may be; and if the plaintiff or some other person shall not within ten days after the filing the affidavit as aforesaid, by the defendant, file a counter affidavit, the officer shall proceed to sell

under all the appraisement provisions of this law. Third, the provisions of this law shall extend to all sales of mortgaged property, whether the foreclosure be by judgment, decree in chancery, or otherwise; also, to all sales by commissioners, masters in chancery, or other persons, acting by authority of any of the courts of this State, to all cases of contracts, judgments, deeds of trust and mortgages, wherein the mortgagee has reserved the right to sell the mortgaged premises, where the same have existed before the first day of May, 1841, or have been in any manner renewed since that day, or in any wise made to secure a debt so previously existing.

"SEC. 3. This act shall not extend to any default as a public officer, executor, guardian, or administrator, or any defalcation while acting in a trust or fiduciary capacity: *Provided further*, in all cases where any person may now be or hereafter become indebted to any school commissioner, or trustee, or treasurer of any school funds, and such person shall fail to pay the interest thereon, or after having been notified, shall neglect, fail or refuse to renew his note with additional security, as is now provided by law, then and in such case the property shall be subject to sale without the benefit of the provisions of this act, but in all cases the debtor shall be allowed to stay the collection of the principal of any sum of money in any way due the school fund, by giving good and sufficient security, and by paying the interest and cost thereon punctually as it becomes due, whether judgment has been obtained or not: *Provided, also*, that in all cases where the property offered or to be offered for sale has been or may be decided by the proper court to have been fraudulently conveyed by the execution debtor, to avoid paying his debts, the same shall be sold without valuation."

Mr. Warren moved a call of the Senate; which proceeded for a short time, and then, on motion of Mr. McMurtry, dispensed with.

Mr. Henry moved to lay the amendment and the amendment to the amendment on the table.

Mr. Cavarly called for a division of the question.

The question was then put—"Will the Senate divide the question?" and decided in the affirmative.

On the question—"Will the Senate lay the amendment to the amendment on the table?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Crain, Dougherty, Harris, Henry, Houston, Johnson, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—23.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Hoard, Killpatrick, Minard, Ralston, Ruggles, Ryan, Slocumb, and Worthington—16.

On the question—"Will the Senate lay the amendment reported by the select committee on the table?"

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cullom, Davis, Dougherty, Feaman, Harris,

Harrison, Henry, Minard, Ruggles, Ryan, Vandeventer, and Worthington—14.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Crain, Davidson, Fithian, Hoard, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Ralston, Slocumb, Smith, Stapp, Thompson, Warren, Waters, Willbanks, and Wynne—25.

Mr. Parker moved to amend the second section of the amendment by inserting after the words "equitable value," the words "in ordinary times;" which was,

On motion of Mr. Stapp,

Laid on the table.

Mr. Hoard moved to amend the amendment, by adding thereto the following as an additional section:

"The counties of Cook, Kane, St. Clair, Adams, Ogle, Winnebago, La Salle, Kendall, and Grundy shall be exempted from the operations of this act;" which was,

On motion of Mr. Cavarly,

Laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Cullom, Dougherty, Feaman, Fithian, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Parker, Parrish, Pearson, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Willbanks, and Wynne—27.

Those who voted in the negative, are,

Messrs. Catlin, Davidson, Davis, Harrison, Hoard, Minard, Nunnally, Ralston, Ruggles, Ryan, Waters, and Worthington—12.

Mr. Ralston moved to amend the amendment, by striking it out, and inserting in lieu thereof the following:

"That the provisions of the act to which this is an amendment shall extend to all judgments rendered, or to be rendered, on which executions may have been or may hereafter be issued and levied on personal estate, so as to require the same to be appraised and sold as therein required, any law to the contrary notwithstanding.

"2. That there shall be allowed and paid by the plaintiff to each appraiser twenty-five cents for each appraisal of property to be sold on execution, which shall be taxed with the defendant's costs, and collected as other costs. And any person who shall be legally summoned to appraise property as aforesaid, and shall fail to attend and discharge his duty as such appraiser, not having a reasonable excuse therefor, shall be liable to pay to the people of the State of Illinois, for the use of the county where the trial may be had, a fine of five dollars, to be recovered before any justice of the peace.

"3. If no person shall bid two-thirds of the appraised value at the first time the personal property may be offered for sale by the officer, the same shall not again be offered for sale in satisfaction of the same demand, except at the cost of the plaintiff. And if the plaintiff shall not, on the same day the property shall first be offered for sale, pay to the officer such expenses and charges as may be incurred in offering the property for sale a second time, it shall be the duty of the officer to re-deliver the property to

the defendant, and the plaintiff's lien thereon shall wholly cease;" which was,

On motion of Mr. Warren,

Laid on the table by the following vote:

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Crain, Fithian, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—24.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Davis, Dougherty, Feaman, Harrison, Hoard, Minard, Ralston, Ruggles, Ryan, Slocumb, and Worthington—14.

Mr. Dougherty moved to amend the amendment, by adding the following as another section to the same:

"That upon all executions which now are, or hereafter may be issued upon any judgment or judgments which heretofore, or hereafter may be recovered or given, the defendant or defendants shall be permitted to replevy the same for two years, upon executing a bond in double the amount of the execution, with sufficient security, to be approved by the sheriff, constable or other officer having the same; which bond shall be conditioned for the payment of the execution, with six per cent. interest per annum, with all costs that may accrue thereon. That the sheriff or other officer shall take the bond and return the same within twenty days after the date thereof, to the office from which the execution issued, there to be filed, and have the force and effect of a judgment, with a stay of execution for the term of two years: *Provided, however*, that no scire facias shall be required at the expiration of the term of two years to revive the same, and at the expiration of said term the clerk or other officer shall issue execution on the same bond for the amount of the original judgment, interest and costs, should the same not be paid before that time;" which was,

On motion of Mr. Warren,

Laid on the table by the following vote:

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Davidson, Feaman, Harris, Harrison, Henry, Houston, Johnson, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Ruggles, Smith, Vandeventer, Warren, and Willbanks—21.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Crain, Cullom, Davis, Dougherty, Fithian, Hoard, Killpatrick, Minard, Ralston, Ryan, Slocumb, Stapp, Thompson, Waters, and Wynne—17.

Mr. Warren moved the previous question; and,

On the question—"Shall the main question be now put?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Davidson, Fithian, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—26.

Those who voted in the negative, are,
Messrs. Catlin, Crain, Davis, Dougherty, Feaman, Harrison, Minard, Ralston, Ruggles, Ryan, Stapp, and Worthington—13.

The question was then taken on concurring with the select committee in the amendment reported by them, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,
Messrs. Barnett, Cavarly, Crain, Davidson, Fithian, Harris, Houston, Johnson, Leviston, Markley, McMurtry, Parker, Parrish, Pearson, Ralston, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—24.

Those who voted in the negative, are,
Messrs. Baker, Catlin, Cullom, Davis, Dougherty, Feaman, Harrison, Henry, Hoard, Killpatrick, Minard, Nunnally, Ruggles, Ryan, and Worthington—15.

And on the question—"Shall the bill from the House of Representatives for an act entitled 'An act regulating the sale of property on judgments and executions,' as amended, be ordered to a third reading?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,
Messrs. Barnett, Cavarly, Crain, Davidson, Fithian, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—25.

Those who voted in the negative, are,
Messrs. Baker, Catlin, Cullom, Davis, Dougherty, Feaman, Harrison, Hoard, Minard, Ralston, Ruggles, Ryan, Slocumb, and Worthington—14.

Mr. Ralston moved that the Senate adjourn; which was not agreed to.

Mr. Baker moved that the Senate adjourn to 2 o'clock, P. M.; which was not agreed to.

Mr. Ralston moved a call of the Senate.

Mr. Stapp moved that the Senate adjourn: which was not agreed to.

On motion of Mr. Baker,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Pearson introduced a bill for "An act to provide for the completion of the Illinois and Michigan Canal;" which was read the first time, and *Ordered* to a second reading.

On motion of Mr. Stapp,

The rules were dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Cavarly,

The bill was laid on the table, and five hundred copies ordered to be printed for the use of the Senate.

Mr. Willbanks introduced a bill for "An act for the apprehension and safe keeping of fugitive slaves;" which was read the first time, and *Ordered* to a second reading.

Mr. Stapp introduced a bill for "An act to provide for the impartial selection of petit jurors by the county commissioners' courts," which was read the first time, and

Ordered to a second reading.

The resolution of Mr. Killpatrick, instructing the committee on Public Roads to inquire into the expediency of amending the road laws &c., was taken up.

The question was then taken on the adoption of the resolution, and decided in the negative.

The resolution offered some days since by Mr. James, instructing the committee on the Judiciary to inquire into the expediency of amending the attachment law &c., was taken up and adopted.

The resolution offered some days since by Mr. Warren, declaring that "Alfred W. Cavarly was legally and constitutionally elected to fill the vacancy occasioned by the death of the Hon. John Allen," was taken up.

Mr. Pearson moved to amend the resolution by striking out the words "legally and constitutionally," and insert after the word "elected" the following, to wit: "in pursuance of a writ of election from the Governor."

Mr. Davidson moved to lay the resolution and proposed amendment on the table; which was decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Cullom, Davidson, Davis, Harrison, Henry, Hoard, Johnson, Minard, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Worthington, and Wynne—15.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Dougherty, Feaman, Fithian, Harris, Houston, Killpatrick, Leviston, Markley, McMurtry, Parker, Parrish, Pearson, Ruggles, Smith, Warren, Waters, and Willbanks—19.

Mr. Dougherty moved the previous question; and,

On the question—"Shall the main question be now put?"

It was decided in the negative, by the following vote, to wit:

Those voting in the affirmative, are,

Messrs. Dougherty, Feaman, Leviston, Markley, Parker, Pearson—6.

Those voting in the negative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Davis, Fithian, Harris, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, McMurtry, Minard, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, Wynne—29.

The question was then taken on the amendment proposed by Mr. Pearson, and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cullom, Feaman, Fithian, Harris, Harrison, Houston, Markley, McMurtry, Parker, Parrish, Pearson, Ruggles, Smith, Thompson, Warren, Waters, Willbanks, and Wynne—20.

Those who voted in the negative, are,

Messrs. Baker, Davidson, Davis, Dougherty, Henry, Hoard, Johnson, Killpatrick, Leviston, Minard, Ralston, Ryan, Slocumb, Stapp, Vandeventer, and Worthington—16.

Mr. Henry moved that the consideration of the resolution be indefinitely postponed.

Mr. Pearson moved a call of the Senate, and after some time spent therein, the further call was, on motion of Mr. Stapp, dispensed with.

The question was then taken on the indefinite postponement of the resolution, and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Crain, Cullom, Davidson, Davis, Fithian, Harris, Harrison, Henry, Hoard, Johnson, McMurtry, Minard, Parker, Parrish, Ralston, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Worthington, and Wynne—25.

Those who voted in the negative, are,

Messrs. Dougherty, Feaman, Houston, Killpatrick, Leviston, Markley, Pearson, Ruggles, Smith, Warren, and Willbanks—11.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 31, 1842.

Senate met pursuant to adjournment.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Speaker laid before the Senate the following communication from the Fund Commissioner; which was read, and,

On motion of Mr. Dougherty,

Laid on the table, and five hundred copies thereof ordered to be printed for the use of the Senate.

The Speaker laid before the Senate, the following communication:

EXECUTIVE DEPARTMENT,
Springfield, December 30, 1842.

*To the Honorable the SPEAKER
of the Senate:*

SIR: I have the honor herewith to lay before the Senate the seventh annual report of the Commissioners of the Illinois and Michigan Canal and accompanying documents.

I have the honor to be, &c.

THOMAS FORD.

Which communication, with the report therein named, and the accompanying documents, were,

On motion of Mr. Ryan,

Laid on the table, and five hundred copies of them ordered to be printed.

Mr. Nunnally presented the petition of sundry electors of Vermilion county, praying the Senate to investigate a transaction therein named tending to impair the purity of elections; the reading of which was dispensed with, and the same, with accompanying papers,

On motion of Mr. Nunnally,

Referred to the committee on Elections.

Mr. Ruggles presented the petition of forty-two citizens of Ogle county

praying for the creation of the office of superintendant of common schools; the reading of which was dispensed with, and the same,

On motion of Mr. Ruggles,

Referred to the committee on School Lands and Education.

Mr. Pearson, from the committee on the Judiciary, to which had been referred a bill for "An act in relation to judgments and executions," reported the same back to the Senate, and asked and obtained a discharge from the further consideration thereof.

On motion of Mr. Pearson,

Ordered, That said bill be laid on the table.

Mr. Pearson, from the same committee, to which had been also referred a bill for "An act to repeal certain laws," reported the same back to the Senate, and asked and obtained a discharge from its further consideration.

On motion of Mr. Cavarly,

Ordered, That said bill be laid on the table.

Mr. Dougherty, from the committee on Incorporations, to which had been referred a bill for "An act to incorporate the St. Charles Academy, in the county of Kane," reported the same back to the Senate without amendment, and recommended its passage.

Ordered, That the bill be engrossed and read a third time.

Mr. Harrison, from the committee on Incorporations, to which had been referred a bill for "An act to amend an act entitled 'An act to establish a ferry across the Illinois river,' approved February 23, 1841," reported the same back with an amendment.

Mr. Thompson moved to lay the bill and amendment on the table; which was not agreed to.

On motion of Mr. McMurtry,

Ordered, That the vote last taken be re-considered.

The question recurring upon the motion of Mr. Thompson, the same was put, and decided in the affirmative.

So the bill and amendment were laid on the table.

Mr. Thompson, from the select committee to which had been referred a preamble and resolutions, with a proposed amendment thereto, offered by Mr. Baker, in relation to the Military Academy at West Point, reported them back to the Senate, with an amendment, to be substituted therefor.

Mr. Killpatrick moved to amend the amendment reported by the select committee, by striking it out, and adopting the following:

Resolved, That that the Legislature of this State has convened for the purpose of legislating for the benefit of the people of the State of Illinois, and not to legislate for other States, or for the United States; and that the time we spend in instructing Congress as to what they shall do, in matters not specially pertaining to our own State interest, is foreign from our specific and legitimate duties, and a waste of our time and the people's money;" which was,

On motion of Mr. Cavarly,

Laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Houston, Johnson, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Pear-

son, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—34.

Those who voted in the negative, are,

Messrs. Crain, Killpatrick, Stapp, and Worthington—4.

Mr. Cavarly moved to lay the preamble and resolution and amendments on the table, and

The question being taken, it resulted as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Davis, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Ralston, Ruggles, Smith, Stapp, Thompson, Vandeventer, Warren, Willbanks, and Wynne—19.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Cullom, Davidson, Dougherty, Feaman, Harris, Houston, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Pearson, Ryan, Slocumb, Waters, and Worthington—19.

The Chair voted in the affirmative.

So the preamble and resolutions, and amendments, were laid on the table.

On motion of Mr. Cavarly,

Ordered, That the order of business be suspended and that the bill from the House of Representatives for an act entitled "An act regulating the sale of property on judgments and executions," as amended by the Senate, be now taken up and read a third time.

The question being upon the passage of the bill, as amended,

Mr. Davis moved to amend the same by adding at the end of the second section thereof, the following:

"*Provided*, that said appraisers, under the provisions of this act, shall appraise only the interest which said defendant has in the property about to be sold."

Mr. Worthington moved that the Senate adjourn to 2 o'clock, P. M. which was not agreed to.

Mr. Baker moved that the Senate adjourn; which was not agreed to.

Mr. Hoard moved a call of the Senate, which was had, and, on motion of Mr. Stapp, dispensed with.

Mr. Hoard moved that the Senate adjourn; which was lost.

Mr. Baker moved that the Senate adjourn to 2 o'clock, P. M.; which was decided, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cullom, Davis, Harrison, Hoard, Minard, Ralston, Ruggles, Ryan, and Worthington—11.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Crain, Davidson, Feaman, Fithian, Henry, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Slocumb, Smith, Stapp, Vandeventer, Warren, Waters, Willbanks, and Wynne—26.

So the Senate refused to adjourn to 2 o'clock, P. M.

Mr. Baker moved that the Senate adjourned to 3 o'clock, P. M.

Mr. Pearson rose to a point of order.

The Chair decided the motion to adjourn to 3 o'clock, P. M., to be order.

Mr. Vandeventer appealed, and,

On the question—"Shall the decision of the Chair stand as the judgment of the Senate?"

It was decided in the affirmative.

The question was then put upon adjourning to 3 o'clock, P. M., and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cullom, Davis, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Minard, Ralston, Ryan, Stapp, and Worthington—15.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Crain, Davidson, Feaman, Fithian, Harris, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Ruggles, Slocumb, Smith, Vandeventer, Warren, Waters, Willbanks, and Wynne—22.

Mr. Baker desired to be excused from voting upon the amendment offered by Mr. Davis.

The question was put upon excusing, and decided in the negative.

The question recurring upon the amendment offered by Mr. Davis, the same was put and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Leviston, Markley, McMurtry, Minard, Parker, Pearson, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Vandeventer, Waters, and Willbanks—27.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Crain, Harris, Houston, Nunnally, Parrish, Warren, Worthington, and Wynne—10.

Mr. Davis moved that the Senate adjourn to 3 o'clock, P. M.; which was lost.

Mr. Baker moved to adjourn to half past 2 o'clock, P. M.; which was lost.

Mr. Crain moved to amend the eighth section of the bill, by inserting the following in the fifth line, after the word "guardian:"

"Provided, always, That persons indebted to executors, administrators or guardians, shall have the benefits of this act in all cases, by giving, if required by any executor, administrator, or guardian, holding any evidence of indebtedness against them, a new note, with security, such as the probate justice of the peace of the proper county may deem sufficient for the securing of any debt due any estate, together with all interest due thereon.

"And be it further provided, That no executor, administrator or guardian, shall be made to suffer on account of not having collected from those who may avail themselves of the benefits of this act, by renewing their notes, which may exist at the passage of this act as above mentioned."

Mr. Stapp moved to lay the amendment, offered by Mr. Crain, on the table:

Mr. Baker moved that the Senate adjourn to half past 3 o'clock, P. M.; which was lost.

The question was then put upon laying on the table, the amendment offered by Mr. Crain; and decided in the negative, as follows:

Those voting in the affirmative, are,
Messrs. Baker, Catlin, Davidson, Davis, Harris, Harrison, Johnson, Leviston, Ryan, Smith, Stapp, and Worthington—12.

Those voting in the negative, are,
Messrs. Barnett, Cavarly, Crain, Dougherty, Feaman, Fithian, Henry, Hoard, Houston, Killpatrick, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Pearson, Ralston, Ruggles, Slocumb, Vandeventer, Warren, Waters, Willbanks, and Wynne—25.

Mr. Baker moved that the Senate adjourn to half past 3 o'clock, P. M.; which was lost.

Mr. Baker moved to adjourn to 3 o'clock, P. M.; which was lost.

The question was then put upon adopting the amendment offered by Mr. Crain, and decided in the negative, as follows:

Those who voted in the affirmative, are,
Messrs. Baker, Crain, Cullom, Davis, Dougherty, Feaman, Harrison, Ryan, Stapp, Waters, and Wynne—11.

Those who voted in the negative, are,
Messrs. Barnett, Catlin, Cavarly, Davidson, Fithian, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Ruggles, Slocumb, Smith, Thompson, Vandeventer, Warren, and Willbanks—24.

Mr. Stapp moved to amend the fifth section of the bill by striking out the word "thereafter," and inserting in lieu of it the words, "after the passage of this act," and

The question being taken thereon, it was decided in the affirmative, as follows:

Those who voted in the affirmative, are,
Messrs. Baker, Catlin, Cavarly, Cullom, Davidson, Davis, Fithian, Harrison, Killpatrick, Leviston, Markley, McMurtry, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Waters, and Willbanks—20.

Those who voted in the negative, are,
Messrs. Barnett, Crain, Dougherty, Feaman, Harris, Henry, Houston, Johnson, Nunnally, Parker, Parrish, Pearson, Ralston, Ruggles, Warren, and Wynne—16.

Mr. Warren moved that the Senate adjourn; which was lost.

Mr. Stapp moved that the Senate adjourn to 2 o'clock, P. M.; which was lost.

Mr. Ruggles moved to amend the sixth section of the bill, by striking out the first and second lines of the same so far as the word "be," and inserting in lieu of the part stricken out, the following:

"Whenever any real estate shall be directed to be sold by decree in chancery, or shall be levied upon by execution, it shall be the duty of the sheriff or other officer charged with the sale of such real estate, in all cases where there is a newspaper published in the county in which the same is situated, to cause the same to be advertised in such paper, at least thirty days previous to the sale thereof, and in all cases where such real estate is not;" which was not agreed to.

Mr. Ralston moved to amend the bill, by adding thereto the following:

"Sec. 10. Whenever the parties to any contract, hereafter entered into, shall agree that such contract shall not come within the provisions of this act, the enforcement of such contract shall be governed by the laws

in existence previous to the passage of "An act regulating the sale of property," approved February 27, 1841.

"Sec. 11. It shall be the duty of the sheriff or other officer, immediately after the sale of any lands, tenements or hereditaments, to make to the purchaser or purchasers thereof, a deed of conveyance therefor, and the lands, tenements and hereditaments so sold, shall not be subject to redemption."

Mr. Ralston moved a call of the Senate; which proceeded.

On motion of Mr. Smith,

The call was dispensed with.

Mr. Harris moved to lay the amendment offered by Mr. Ralston on the table.

Mr. Baker moved that the Senate adjourn to half past 3 o'clock, P. M.; which was lost.

Mr. Ralston moved a call of the Senate; which proceeded.

Mr. Baker moved to adjourn to 4 o'clock, P. M.; which was lost.

On motion of Mr. Barnett,

The further proceedings under the call of the Senate were dispensed with.

Mr. Baker moved that the Senate adjourn to 4 o'clock, P. M.; which was,

On motion of Mr. Cavarly,

Laid on the table.

Mr. Ralston moved a call of the Senate; which was had, and dispensed with,

On motion of Mr. Stapp.

Mr. Parrish moved the previous question.

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

The question being upon the motion of Mr. Harris, to lay the amendment offered by Mr. Ralston on the table, the same was put and decided in the affirmative.

On the question—"Shall the bill as amended pass,"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Crain, Harris, Henry, Houston, Johnson, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Pearson, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—22.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, Killpatrick, Minard, Ralston, Ruggles, Ryan, Slocumb, and Worthington—17.

On motion of Mr. McMurtry,

Ordered, That the title of the bill be stricken out, and the following inserted in lieu of it:

"A bill for an act to amend an act entitled 'An act regulating the sale of property,' approved February 27, 1841."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments of the Senate.

Mr. Davidson moved that the Senate adjourn, and the question thereon being taken, the Senate were found equally divided.

The Chair voted in the negative.

So the Senate refused to adjourn.

On motion of Mr. Pearson,

The Senate adjourned to 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

Senate met pursuant adjournment.

Mr. Pearson, for himself and others, presented a protest which was read,

Ordered to be entered upon the journal, and is as follows:

PROTEST.

If any act or resolution be adopted by the Senate injurious to the public or to any individual, the undersigned have the right to dissent and protest against such "act or resolution," and have the reasons of their dissent entered on the journals.

Such an act and resolution have passed the Senate, which they think is in conflict with the Constitution, dangerous as a precedent, and ought not to go forth to become the received opinion of the country without the undersigned entering this their solemn protest against it. Notwithstanding it is our right, yet something is due at all times to the opinion of Senators who have expressed themselves as conscientiously as the undersigned. But believing that this rejection of honorable Senators from this chamber, after being fairly elected in new districts formed by the last Legislature, and without whose voice these counties could not be heard here, is so much at war with every principle of our republican government, that Senators voting in the majority must pardon this further effort on our part to set this question in a right light before our constituents. The facts are as follows:

By the apportionment law of 1836, Cook county formed one Senatorial district. In 1840, a Senator was elected for four years as pointed out by the Constitution. The Senator when elected resided in Will county, one of the counties taken off of Cook since 1836. Lake, McHenry and Du Page counties were also formed out of Cook county since 1836. When the election took place in August, 1840, the old county of Cook and the four new counties formed from it, united in the election. By the apportionment law of 1841, McHenry was taken into a new district, Lake and Cook were united into another, and Du Page, Will, together with Iroquois, an old county, before attached to another district, was added to the last named counties to form a third. At the August election of 1842, all of the three new districts formed, elected each their Senator under the law, which is in these words: "that until the next census, as provided by the Constitution, shall have been taken and an apportionment made thereon, the following shall be the ratio of representation for this State, viz: that each twelve thousand white inhabitants shall be entitled to one Senator, and each four thousand white inhabitants shall be entitled to one representative." This law was approved February 26, 1841, and went then into

operation by the provisions of the law of 1836. The cases of the Senators from Scott and Cass, and Greene and Calhoun, are admitted by most gentlemen to be placed on the same grounds as the Senator from Will, Du Page and Iroquois. It has been admitted, and which is the fact, that unless the Senator elect from Will, Du Page and Iroquois can take his seat, there will be no Senator here who was elected at the August election of 1842, or any other election from the county of Iroquois. This being the state of facts in the three cases, the Senate have determined, by a resolution, that Joel A. Matteson was not the Senator duly elected from Will, Du Page and Iroquois, but that John Pearson, elected at the August election, 1840, from the Cook district, and not including Iroquois county, was to be, and so considered by law, the Senator for Iroquois, and the same in the other cases. That James Gillham, elected from the new district of Scott and Cass, was not their Senator, but that one T. M. Killpatrick, elected in 1840, by the counties of Morgan and Scott, and not by Cass, was now to be the Senator of Cass and Scott, by the operation of law. Such being the decision of the Senate on this grave question, they have ejected these two Senators from this chamber, and left these counties unrepresented; have left them disfranchised, cut off from one of the first and dearest privileges known to freemen. Unless the decision is correct, that the Legislature can legislate a Senator on a county which never gave him a vote or had a chance to do so—unless the Senate can, in judging “of the qualification and election of its members,” disfranchise a county, this decision of the Senate is at war with the Constitution and destructive to liberty itself. The undersigned being anxious then to sustain the Constitution of our country unimpaired, and the representative principle in its purity, and as it was intended by our government, come forward with this protest—they come forward to sustain a principle upon which the rights of the American people rest, and stripped of this, our freedom is as “sounding brass and tinkling cymbals;” our property, liberty and life may depend on the iron will of an usurper, and no matter whether he assume the garb and name of a republican legislator, or that of a Nero, Caligula, a Cæsar or a Bonaparte, true and genuine American freedom is gone and the name is nothing, except to mock the freeman in his ruin. Thus believing, the undersigned have come forward to enter this protest on the journals of the Senate; they do it with great reluctance, however, on account of the respect they bear honorable Senators who voted in the majority. Respect to their constituents, to the Constitution and to the laws, however, demand it at their hands. They then protest, because firstly, this is a representative government, and the right of voting for our officers cannot be taken away by law or resolution. Secondly, the Constitution requires the sanction of both branches to any law, which cannot be amended or altered, directly or indirectly, in the one branch without the consent of the other; that in giving a construction, by the Senate, to a law which takes away from a county the right to be represented in this chamber, is, in the opinion of the undersigned, an alteration of the law, a law by which each county is represented in either branch of the General Assembly, on the ratio of 12,000 inhabitants. Thirdly, they protest against the doctrine attempted to be established, in ejecting Senators from this chamber, upon the ground that a Legislature can by law determine what county or counties the Senator holding over shall represent, and taking away from a single county the

chance of choosing one at the ballot box. Such a construction of law and the constitution would enable the dominant party in one Legislature to saddle on an offending county a man who is a stranger to its wants, to its principles and its interests; a construction which would place the small counties at the will of large ones; a slavery depending solely on the will of heated partizans in power. Fourthly, they protest against the opinion advanced by Senators, and which seemed to weigh on the minds of honorable Senators, "that if any county is thus placed—thus disfranchised, it was voluntarily; was consented to by the representatives elected by these counties and in the last Legislature; that it is too late to complain of this disfranchisement now."

The undersigned would enquire of those honorable Senators in what part of the Constitution the power is to be found, giving to the representative the right thus to barter away his constituents. In law it is found if the agent exceed the just powers granted him by his principal, that the act is not binding on the principal. The agent or representative is clothed with power under the Constitution, and for a fixed and unalterable purpose, the enactment of equal and just laws, and if he exceed his powers, if he consents to leave his people unrepresented in the next General Assembly, or decides by law that another shall represent them, is not this an abuse of his powers delegated? Will it be contended that this act then is binding on the county which he ought to represent, but which by this attempt he grossly misrepresents and seeks to rob it of the dearest right held by freemen?—the right of being heard in both branches of the General Assembly? In every light in which this decision of the Senate can be viewed, the undersigned dissent and protest against the powers claimed to legislate a man into or out of office, the tenure of whose office is fixed by the Constitution. They can see nothing in it but a palpable violation of the first and most sacred rights of every American citizen. If this precedent is to weigh in all coming time as the true construction of the Constitution, counties may go unrepresented whenever the Legislature shall will it; even more than that, whenever one branch of it shall determine to give the law a construction not intended by the other branch—we mean that the Senate could by a violent construction of the apportionment law do that indirectly which could not be done directly, on the passage of the law. In the name then of that Constitution, held sacred by every true born American; in the name of the principles which inspired the Declaration of Independence, "that taxation should go hand in hand with representation," and that freemen should be heard in both branches of the Legislature; in the name of our constituents, who have confided to our hands the priceless privilege of making laws, by which their persons, their property, their liberty and lives are secured to them, we are bound to dissent and protest against this act of the Senate. The American history teaches us and should teach every American, that the violation of this first and purest right of man, the right to govern himself, inspired the fathers of independence, when they declared in effect, that taxation and representation shall never be divided, "they are one and inseparable." Who then shall blame the undersigned, thus reflecting, thus viewing the rights of freemen, if they solemnly, but respectfully, protest against a decision, which seeks to tax counties at the same time denying to them a voice in that taxation?

Well has it been said, then, by a distinguished author, in treating on the elective franchise, that "the only ground upon which exclusion from the right of voting is consistent with justice, would be to inflict it as a punishment for a certain time, upon those who should propose to take away that right from others. The right of voting for representatives is the primary right by which other rights are protected; to take away this right is to reduce a man to slavery, for slavery consists in being subject to the will of another, and he that has not a vote in the election of representatives is in this situation. The proposal, therefore, to disfranchise any class of men, is as criminal as the proposal to take away their property. When we speak of right we ought always to unite with it the idea of duties—rights become duties by reciprocity. The right which I enjoy, it becomes my duty to guarantee to another and he to me, and those who violate the duty, justly incur a forfeiture of the right. In a political view of the case, the strength and permanent security of government is in proportion to the number of people interested in supporting it. The true policy, therefore, is to interest the whole by an equality of rights, for the danger arises from exclusion. It is possible to exclude men from the right of voting, but it is impossible to exclude them from the right of rebelling against that exclusion, and when all other rights are taken away, the right of rebellion is made perfect, and the offensive part of the case is, that this exclusion from the right of voting implies a stigma on the moral character of the persons excluded, and this is what no part of the community has a right to pronounce upon another part."

The undersigned then appeal to every Senator, if the language quoted is not the sentiment impressed upon and ingrafted into our free Constitution? Has this sentiment grown old? Will the descendants of freemen forget that government by election and representation, has its origin in the natural and eternal rights of man, "for whether a man be his own lawgiver as he would be in a state of nature, or whether he exercises his portion of legislative sovereignty in his own person, as might be the case in small democracies, where all could assemble for the formation of the laws by which they were to be governed, or whether he exercises it in the choice of persons to represent him in a national assembly of representatives, the origin of the right is the same in all cases."

JOHN PEARSON.
GEORGE LEVISTON.
JAMES A. JAMES.
A. W. CAVARLY.
N. W. NUNNALLY.
JOHN HARRIS.

Mr. Hoard moved that the Senate adjourn; which was not agreed to.

Mr. Smith offered for adoption the following preamble and resolution; in relation to which the rule was, on his motion, dispensed with:

Whereas, it appears from the report of the inspectors of the Penitentiary, made to the present General Assembly, that said inspectors did, on the 10th day of June, 1842, lease said Penitentiary for another term of three years: *And whereas*, a belief is entertained by many that the contract or lease made by said inspectors, was in violation of the spirit and intention of the law: *And whereas*, in the opinion of those best acquaint-

ed with the subject, the manner of conducting said establishment is devoid of the principles of humanity, and operates injuriously and oppressively, upon a large majority of those residing in the vicinity of said prison; therefore,

Resolved, That the committee on the Judiciary be instructed to inquire into the matter, and report to the Senate at as early a day as practicable, whether or not the law in relation to the Penitentiary, approved March 2, 1841, gave to the inspectors the power to lease said Penitentiary, for more than one term of three years.

The preamble and resolution were adopted.

Mr. Parrish offered for adoption the following resolutions, which respectively lie one day on the table:

Resolved by the Senate, That the committee on Retrenchment be requested to ascertain from the Auditor of Public Accounts, whether or not the name of John Kavanaugh has been presented at his office as an officer of the Senate; and if so, that said committee be further requested to ascertain by whom, or what authority so appointed, his salary, and by whom paid.

Resolved, That the committee on Finance be instructed to make strict inquiry into the propriety and necessity of introducing a bill stating the kind of moneys which shall be received by the collectors for taxes now due, and, also, making some provision for the disposing of the amount now on hand.

Mr. Pearson offered the following resolution, and preamble and resolutions, which respectively lie one day on the table:

Resolved, That the committee on Finance be instructed to inquire into the expediency and legality of providing by law for the full pay of our public officers, who have suffered great losses in the depreciation of the State Bank paper, which they have been compelled to receive out of the treasury for their salaries.

Whereas, ours is a government designed to be one of equal laws, giving protection, not to the few and overlooking the many, but, at all times, it is the policy of our government to leave the energies of our citizens free, to be employed in whatever business which to them may seem to their interest and happiness: *And whereas*, we believe it the true construction of the United States Constitution, that a tariff of duties on imported articles, should only be laid with a view to raise a sufficient revenue to defray the expenses of an economical administration, and not for surplus or distribution; and believing that the present tariff law is unequal in its operation, and designed to build up some branches of industry to the disparagement of others, and is, therefore, partial, unjust, and anti-democratic; therefore,

Be it resolved by the Senate and House of Representatives of the State of Illinois, That our Senators in Congress be instructed, and our Representatives requested, to use their exertions to obtain a modification of the same, so that it may favor, if possible, all branches of industry alike, and secure an adequate revenue for the wants of the government.

Resolved, That we consider the Bank of the United States, as formerly chartered by Congress, unconstitutional and inexpedient, and ought not again to be re-established.

Resolved, That the Secretary transmit a copy of these resolutions to each of our members in Congress.

On motion of Mr. Davis,
The Senate adjourned.

MONDAY, JANUARY 2, 1843.

Senate met pursuant to adjournment.

Mr. Johnson presented a memorial to the General Assembly, adopted at a public meeting of the citizens of Bond county, in relation to many subjects of State policy; which was read, and,

On motion of Mr. Johnson,
Referred to a select committee of five.

Ordered, That Messrs. Johnson, Baker, Thompson, Cavarly, and Stapp be that committee.

Mr. Thompson presented the petition of the Consistory of the Reformed Protestant Dutch Church of the precinct of Copperas, in the county of Peoria, praying for the passage of an act constituting the ministers, elders and deacons of any Reformed Protestant Dutch Church, now or hereafter to be formed in this State, ex-officio trustees of the same, &c.; which was read, and,

On motion of Mr. Thompson,
Referred to the committee on Petitions.

Mr. Smith presented the petition of sundry citizens of this State, in relation to the Penitentiary, &c.; which was read, and,

On motion of Mr. Smith,
Referred to the committee on the Penitentiary.

Mr. Willbanks presented the petition of seventy-six persons, trustees and others, citizens of Mt. Vernon and vicinity, in Jefferson county, praying the passage of a law to legalize the re-survey of said town; the reading of which was dispensed with, and the same,

On motion of Mr. Willbanks,
Referred to the committee on Incorporations.

Mr. Ralston, from the committee on the Judiciary, to which was referred a resolution having for its object the election by the General Assembly of three persons to revise the laws, made report, and recommended the adoption of the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to report a bill authorizing the appointment of one or more persons well skilled in the laws, to prepare a code of laws, to be adopted in this State, the basis whereof shall be the statute laws in force in the State, the common law of England, and such modifications and improvements made thereon in other States of this Union, as may be adapted to our condition and circumstances.

Mr. Ralston, from the same committee, to which was referred a bill for "An act regulating mill-dams in Vermilion county," reported the same back to the Senate, without amendment, and recommended its passage.

Ordered, That the bill be engrossed and read a third time.

Mr. Barnett, from the committee on Counties, to which had been referred to the petition of the county commissioners and others of Ogle county, praying, &c., reported a bill for "An act to change the name of

the town of Florence, Ogle county, to that of Oregon;" which was read and

Ordered to a second reading.

Mr. Dougherty, from the committee on Incorporations, to which has been referred a bill for "An act to incorporate the Peoria Water company," reported the same back to the Senate, without amendment, and recommended its passage.

Ordered, That the bill be engrossed and read a third time.

Mr. Johnson, on leave, introduced a bill for "An act to amend an act entitled 'An act to authorize the sale of the Saline lands in Bond county,' which was read, and

Ordered to a second reading.

The resolutions offered on Saturday last by Mr. Parrish—the one requesting the committee on Retrenchment to obtain certain information from the Auditor of Public Accounts, and the other instructing the committee on Finance to inquire into the expediency of reporting a bill designating the kind of money to be received for taxes now due, &c., were taken up and adopted.

The resolution offered by Mr. Pearson, instructing the committee on Finance to inquire into the expediency and legality of providing by law for remunerating public officers for losses sustained on account of the depreciation of State Bank paper, was taken up, and,

On the question of its adoption,

It was decided in the negative.

The engrossed bill for "An act to punish the crime of incest," being before the Senate for a third reading,

On motion of Mr. Baker,

The same was laid on the table.

Engrossed bills for an act to re-locate First street in the town of St. Charles, in Kane county," and for "An act relating to the recording and registering of conveyances, or other instruments in writing, executed out of this State, and within the United States," were read a third time and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Engrossed bill for "An act to amend an act entitled 'An act concerning public roads,' approved February 20, 1841," was also read a third time when,

Mr. Warren moved to amend the same by adding the following as another section:

"This act shall not affect the county of Shelby;" which was,

On motion of Mr. Baker,

Laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Davis, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Minard, Parker, Ruggles, Smith, Worthington, and Wynne—19.

Those who voted in the negative, are,

Messrs. Cavarly, Cullom, Dougherty, Feaman, Fithian, Nunnally, Parrish, Ralston, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, Waters, and Willbanks—16.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed a bill for "An act to diminish the State debt, and to put the State Bank into liquidation."

In in the passage of which they ask the concurrence of the Senate.

Mr. Ralston moved to lay the bill, last under consideration, on the table until the 4th of July next; which was agreed to, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Davidson, Dougherty, Feaman, Fithian, Harrison, Henry, Parker, Parrish, Ralston, Slocumb, Stapp, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—20.

Those who voted in the negative, are,

Messrs. Cavarly, Crain, Cullom, Davis, Hoard, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Minard, Nunnally, Ruggles, Ryan, Smith, and Thompson—17.

The bill for "An act concerning the recorder of Greene county," was read a third time, and

Pending the question—"Shall the bill pass?"

Mr. Cavarly moved the following amendment thereto:

Strike out the words "pretended to act," in the fifth line, and insert instead thereof the word "acted," and erase the word "pretended," in the tenth line of the first section.

On motion of Mr. Worthington,

Ordered, That said bill and the proposed amendment be referred to a select committee.

Ordered, That Messrs. Worthington, Vandeventer, and Cavarly be that committee.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The engrossed bill for "An act to incorporate the St. Charles Academy," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Killpatrick,

The engrossed bill, laid on the table this morning, for "An act to punish the crime of incest," was taken up, and read a third time.

Mr. Killpatrick moved to amend the bill, by adding the following as an additional section, viz:

"SEC. 4. If a father shall rudely and licentiously, cohabit with his own daughter, and she under the age of fourteen years, the father shall on conviction be punished by confinement in the penitentiary for a term not exceeding twenty years, nor less than ten years;" which was agreed to.

On motion of Mr. Killpatrick,

The vote just taken, on the amendment offered by him, was re-considered.

On motion of Mr. Killpatrick,

The amendment offered by him to the bill was amended, by striking out the words "and she under the age of fourteen years."

On motion of Mr. Ralston,

The amendment was further amended, by striking out the words "not less than ten years."

The question was then taken on the adoption of the amendment, as amended, and decided in the affirmative.

The question was then taken on the passage of the bill, and decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Baker,

The bill from the House of Representatives for "An act to diminish the State debt, and put the State Bank into liquidation," was taken up and read the first time, and

Ordered to a second reading, and,

On motion of Mr. Baker,

The rules of the Senate were dispensed with, and the bill was read a second time by its title, and

Laid on the table, and ordered to be printed for the use of the Senate.

Senate bills of the following titles were severally read a second time, and referred to the committee on the Judiciary, to wit:

A bill for "An act requiring officers to issue and execute process;"

A bill for "An act placing landlords on an equality with other creditors;"

A bill for "An act to tax lands five years from the sale;"

A bill for "An act for the relief of Levinia Joliff," and

A bill for "An act concerning corporations."

Senate bills of the following titles were severally read a second time, and referred to the committee on Finance, to wit:

A bill for "An act for the relief of Calvin Gold;"

A bill for "An act providing for assessments and the collection of taxes," and

A bill for "An act to re-establish the office of Treasurer of Illinois."

Senate bills of the following titles were severally read a second time, and

Ordered to be engrossed for a third reading, to wit:

A bill for "An act to fix the tenure of certain officers," and

A bill for "An act to increase the number of justices of the peace in the justice's district therein named."

A bill for "An act to elect prosecuting attorneys," was read a second time, and,

On motion of Mr. Nunnally,

Laid on the table.

A bill for "An act to repeal 'An act regulating the interest on money,'" was read a second time, and,

On motion of Mr. Dougherty,

Referred to a select committee of five.

Ordered, That Messrs. Waters, Dougherty, Cavarly, McMurtry, and Johnson be that committee.

A bill for "An act exempting certain property from execution in addition to what is already exempt by law," was read a second time, and,

On motion of Mr. Henry,

Referred to a select committee of five.

Ordered, That Messrs. Henry, Parker, Cavarly, Ruggles, and Barnett be that committee.

A bill for "An act granting a ferry to William Smith and Vincent C. Smith, was read a second time, and,

On motion of Mr. Ralston,

Referred to the committee on Incorporations.

A bill for "An act to attach one tier of sections to the eastern boundary of Bond county," was read a second time, and,

On motion of Mr. Smith,

Referred to a select committee.

Ordered, That Messrs. Smith, Johnson, and Barnett be that committee.

A bill for "An act to repeal all laws authorizing the payment of bounties on wolf scalps by the State," was read a second time, and,

On motion of Mr. Parrish,

Referred to the committee on Retrenchment.

A bill for "An act for the location of a State road in the counties of Monroe and St. Clair," was read a second time, and,

On motion of Mr. Leviston,

Referred to the committee on Public Roads.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 3, 1842.

Senate met pursuant to adjournment.

Mr. Warren presented the petitions of sundry citizens of Shelby county, praying for the passage of a law exonerating them from liability as securities upon certain obligations therein named; the reading of which was dispensed with, and the petitions,

On motion of Mr. Warren,

Referred to the committee on the Judiciary.

Mr. Baker presented the petition of Wm. M. Bell, in relation to the apprehension of John Dormer; the reading of which was dispensed with, and the same, with accompanying documents,

On motion of Mr. Baker,

Referred to the committee on Elections.

Mr. Ralston, from the committee on Incorporations, to which was referred the petition of sundry citizens of the town of Chester, in Randolph county, reported a bill for "An act to repeal the laws incorporating the town of Chester;" the bill was read, and

Ordered to a second reading.

Mr. Parrish offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Finance be instructed to inquire into the amount of taxes necessary for the support of the State Treasury, and whether, in their opinion, the State taxes may not be reduced; also, into the propriety of so changing the law as to cause taxes on all lands to be

paid into the State Treasury, and that each county be supported by a tax on property not exceeding one half of one per cent.

Mr. Parrish, on leave, introduced a bill for "An act to vacate a State road therein named;" which was read, and

Ordered to a second reading.

The preamble and resolutions, offered by Mr. Pearson, in relation to a tariff of duties and an United States Bank, were taken up; when

Mr. Baker called for a division, so as to enable him to vote separately upon the resolutions, and moved a call of the Senate; which proceeded a short time, and was, on motion of Mr. Cullom, dispensed with.

Mr. Baker offered to amend the first resolution, by inserting the following as an additional resolution:

"Resolved, That direct taxation for the wants of the General Government is neither practicable nor expedient."

Mr. McMurtry moved to amend the amendment, by striking it out, and inserting the following in its place:

"Resolved, That direct taxation to supply the wants of the General Government is at the present time inexpedient."

Mr. Harris moved to lay the amendment, and the amendment to the amendment on the table.

Mr. Baker called for a division; and

The question being first put upon laying the amendment to the amendment on the table.

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Feaman, Fithian, Harrison, Henry, Johnston, Killpatrick, Ruggles, Stapp, Waters, Worthington, and Wynne—13.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Davis, Harris, Hoard, Houston, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, and Willbanks—24.

Mr. Henry moved to lay the whole subject on the table; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Johnson, Killpatrick, Parker, Ruggles, Ryan, Smith, Stapp, Waters, and Worthington—18.

Those who voted in the negative, are,

Messrs. Cavarly, Crain, Feaman, Harris, Hoard, Houston, Leviston, Markley, McMurtry, Minard, Nunnally, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—19.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they do not concur with the Senate in their amendment to the bill for "An act regulating sale of property on judgments and executions."

The question was then taken upon the adoption of the amendment of

ered by Mr. McMurtry, to the amendment proposed by Mr. Baker, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,
Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—30.

Those who voted in the negative, are,
Messrs. Baker, Cullom, Harris, Killpatrick, Ruggles, Stapp, and Worthington—7.

On the question—"Will the Senate adopt the amendment, as amended?" It was decided in the affirmative.

Mr. Baker further moved to amend the first resolution, by adding hereto the following:

"And that the independent treasury bill is sufficient, if adopted, to secure to the people of this Union a sound and sufficient currency."

Mr. Henry moved to refer the whole subject to the committee on the Judiciary.

Mr. Cavarly moved to lay the amendment, last offered by Mr. Baker, on the table; and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,
Messrs. Barnett, Cavarly, Davis, Feaman, Harris, Hoard, Houston, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Vandeventer, Warren, Willbanks, Worthington, and Wynne—20.

Those who voted in the negative, are,
Messrs. Baker, Catlin, Crain, Cullom, Davidson, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Ruggles, Slocumb, Smith, Stapp, and Waters—16.

The question was then taken upon referring the whole subject to the committee on the Judiciary, and decided in the negative.

Mr. Hoard moved to amend the resolution, by adding the following as an additional resolution:

"Resolved, That the independent treasury, if adopted, is sufficient to secure to the people of the United States the means of administering the government faithfully and efficiently."

And the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,
Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Feaman, Harris, Hoard, Houston, Leviston, Markley, McMurtry, Minard, Nunnally, Parrish, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—23.

Those who voted in the negative, are,
Messrs. Baker, Cullom, Davidson, Fithian, Henry, Johnson, Killpatrick, Parker, Ruggles, Smith, Stapp, Waters, and Worthington—13.

Pending the question on the adoption of the resolution, as amended, Mr. Baker withdrew his call for a division.

On motion of Mr. Hoard,

The vote last taken upon the amendment offered by him, was reconsidered.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have adopted the following resolution, in which they ask concurrence of the Senate, viz:

Resolved by the General Assembly, That the two Houses will meet in the Hall of the House, on Saturday, the seventh instant, at two o'clock, P. M., for the purpose of electing an Auditor of Public Accounts, a State Treasurer, and Attorney General.

They have also adopted the following:

Resolved by the House of Representatives, That the Clerk inform the Senate, that the members of the bar of the Galena circuit have caused their petition to be laid before this House, praying the removal from office of the Hon. Thomas C. Browne, upon the ground of incompetency, and that the House of Representatives have taken proper orders to hear the testimony of the petitioners, as also of the accused, who is to be heard by himself and counsel, and have passed an order to commence such investigation at two o'clock, P. M., on the third day of the present instant, and that the Senate is respectfully requested to be present in the Hall of the House of Representatives during the investigation of said case.

The question recurring on the adoption of the amendment offered by Mr. Hoard, he moved to amend the same, by striking it out, and inserting the following:

"Resolved, That the repeal of the independent treasury law was precipitate, unwise, and injurious to the public interest; and that the re-establishment of the independent treasury by law, would, in our opinion, revive the public credit, and restore public confidence."

Mr. Henry moved that the whole matter be indefinitely postponed; which was not agreed to.

The question was then taken on the amendment to the amendment offered by Mr. Hoard, and decided in the affirmative.

Mr. Stapp moved to amend the amendment, as amended, by adding to the end thereof the following:

"And that if the principles of the sub-treasury are correct, when applied to the General Government, those principles apply with equal force and effect to the State Governments, and, therefore, it is expedient that the State revenue should be collected in gold and silver, exclusively, and that it be disbursed by the officers collecting the same;" which was,

On motion of Mr. Ralston,

Laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Davis, Feaman, Harris, Henry, Hoard, Houston, Johnson, Loviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—28.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Fithian, Killpatrick, Ruggles, Smith, Stapp, and Worthington—8.

Mr. McMurtry moved the previous question; and

On the question—"Shall the main question be now put?"

It was determined in the affirmative.

The question was then taken on the adoption of the first resolution, as amended, and determined in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Feaman, Harris, Hoard, Houston, Leviston, Markley, McMurtry, Minard, Nunnally, Parrish, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—23.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Fithian, Harrison, Henry, Johnson, Killpatrick, Parker, Ruggles, Smith, Stapp, Waters, and Worthington—14.

The question was then taken on the adoption of the preamble and resolutions, as amended, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Crain, Davis, Feaman, Harris, Hoard, Houston, Leviston, Markley, McMurtry, Minard, Nunnally, Parrish, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—22.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Fithian, Harrison, Henry, Johnson, Killpatrick, Parker, Ruggles, Smith, Stapp, Waters, and Worthington—14.

Ordered, That the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Mr. Cavarly moved to suspend the order of business and take up the message last received from the House of Representatives; which was not agreed to.

Mr. Henry, also, moved to suspend the order of business and take up the message from the House of Representatives containing information of their refusal to concur in the Senate's amendment to a bill for "An act regulating the sale of property on judgments and executions;" which was not agreed to.

On motion of Mr. Cavarly,

The message last received from the House of Representatives, containing resolutions in relation to the investigation of charges against the Hon. Thomas C. Browne, and in relation to an election by the two Houses of certain officers, was taken up.

On motion of Mr. Cavarly,

The order of business was suspended to enable him to offer a resolution; which is as follows:

Resolved, That the Senate will meet the House in the Hall of the House Representatives, at 2 o'clock, P. M., of the third instant, (this day,) to hear the evidence on the charges of incompetency exhibited against the Hon. Thomas C. Browne, one of the Justices of the Supreme Court of this State.

And on the further motion of Mr. Cavarly,
The rule was dispensed with, and the resolution taken up; when it was,
On motion of Mr. Baker,
Laid on the table until 2 o'clock, P. M.
On motion,
The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The resolution, contained in a message from the House of Representatives, relative to the election of Auditor, Treasurer, and Attorney General, pending when the Senate adjourned, was considered.

On motion of Mr. McMurtry,

The resolution was amended, by striking out "Auditor of Public Accounts and Treasurer."

Mr. Vandeventer moved to amend the resolution, by adding after the words "Attorney General," the words "and Public Printer."

Mr. Ralston moved to amend the amendment, by adding "and three Judges of the Supreme Court."

On motion of Mr. Vandeventer,

The resolution and proposed amendments were laid on the table.

The resolution reported by the Finance committee, instructing the committee on the Judiciary to report a bill authorizing the appointment of one or more persons to prepare a code of laws, &c., was taken up.

Mr. Baker moved to postpone indefinitely the consideration of the resolution.

On motion of Mr. Dougherty,

The resolution was laid on the table.

A message from the House of Representatives, by Mr. Ewing, the Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, to wit:

Resolved, That the Senate be requested to appoint three managers to take their part to attend to the examination of testimony in the case of the Hon. Thomas C. Browne.

On motion of Mr. Dougherty,

The order of business was suspended, and the message last received from the House of Representatives was taken up.

On motion of Mr. Baker,

The order of business was suspended, so as to permit him to introduce a resolution:

Mr. Baker offered for adoption the following resolution:

Resolved, That the Speaker of the Senate appoint three managers to assist in the examination now pending in the House of Representatives in the case of the Hon. T. C. Browne, and that the Senate will proceed to the House and participate in said examination.

On motion of Mr. Baker,

The rule of the Senate, requiring resolutions to lie one day on the table, was dispensed with, in order that the resolution might be acted upon now.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker : I am directed by the House of Representatives to inform the Senate, that they have adopted the following resolution, to wit:

Resolved, That the Clerk wait on the Senate, and inform them that the House is in readiness to receive them, in order to proceed with the investigation of certain charges preferred against Thomas C. Browne, an associate Justice of the Supreme Court, and that he be instructed to ask of them an answer respecting their willingness to join the House.

The question was then taken on the adoption of the resolution offered by Mr. Baker, and decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Crain, Cullom, Davis, Dougherty, Feaman, Hoard, Leviston, McMurtry, Nunnally, Parker, Ruggles, Smith, Thompson, Waters, and Worthington—17.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Davidson, Fithian, Harris, Harrison, Henry, Houston, Johnson, Killpatrick, Markley, Minard, Parrish, Ralston, Slocomb, Stapp, Vandeventer, Warren, Willbanks, and Wynne—20.

Senate bills of the following titles were severally read a third time and passed, to wit:

A bill for "An act regulating mill-dams in Vermilion county;"

A bill for "An act to fix the tenure of certain officers," and

A bill for "An act to increase the number of justices of the peace in the justice's district therein named."

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Hoard,

Resolved, That the Secretary inform the House of Representatives, that the Senate declines to attend in the Hall of the House, and participate in the examination of the charges preferred against the Hon. T. C. Browne.

A bill for "An act to locate a State road from Utica to Killa's Landing, in Fulton county," was read a second time.

Mr. Stapp moved to lay the bill on the table until the 4th day of July next; which was not agreed to.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the affirmative.

A bill for "An act granting a ferry to Thomas Eagan," was read a second time, and,

On motion of Mr. McMurtry,

Referred to the committee on Internal Improvements.

A bill for "An act regulating the presentation of bills of exchange and promissory notes," was read a second time, and,

On motion of Mr. Parker,

Referred to the committee on the Judiciary.

On motion of Mr. Henry,

The rules of the Senate were dispensed with, and a message containing resolution, having for its object the raising of a joint select committee to examine into the transactions of Dr. Barret, late Fund Commissioner, &c., was taken up.

Mr. Crain moved a call of the Senate, and after some time spent therein,

Mr. Davis moved to dispense with the further call; which was not agreed to. And after the call having been continued for some time, the further call was, on motion of Mr. Thompson, dispensed with.

The question was then taken on concurring with the House in the adoption of the resolution, and decided in the affirmative.

Ordered, That Messrs. Dougherty and Smith be that committee, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Ralston,

The rules of the Senate were dispensed with, and a message from the House of Representatives, containing an amendment to a resolution of the Senate, having for its object the constituting of the Finance committees of the two Houses a joint committee to examine the offices of the Auditor of Public Accounts and Treasurer, was taken up; and,

On the question—"Will the Senate concur in the amendment of the House to said resolution?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 4, 1843.

Senate met pursuant to adjournment.

Mr. Thompson presented the petition of sundry citizens of the counties of Peoria, Tazewell and Woodford, praying for the repeal of a ferry charter therein named, and for the granting of a similar charter to the trustees of the town of Peoria.

The reading of which was,

On motion to Mr. Thompson,

Dispensed with, and referred to the committee on Internal Navigation

On motion of Mr. Thompson,

The bill for "An act to amend an act entitled 'An act to establish a ferry across the Illinois river,' approved February 23, 1841," was taken up and referred to the committee on Internal Navigation.

Mr. Slocumb presented the petition of Henry I. Mills and others, holders of internal improvement scrip, praying that said scrip be taken up and State bonds be issued in lieu thereof; the reading of which was,

On motion of Mr. Slocumb,

Dispensed with, and referred to the committee on Internal Improvement.

Mr. Thompson offered the petition of sundry citizens of the town of Peoria, praying that a part of a certain road therein named may be vacated by law; the reading of which was,

On motion of Mr. Thompson,

Dispensed with, and referred to the committee on Public Roads.

Mr. Baker, from the committee on Retrenchment, to whom was referred a bill for "An act to repeal all laws authorizing the payment of bounties on wolf scalps by the State," reported the same back with an amendment.

Mr. McMurtry moved to lay the bill and amendment on the table, which was decided in the negative by the following vote, to wit:

Those who voted in the affirmative, are,
Messrs. Cavarly, Crain, Cullom, Dougherty, Evans, Harris, Markley, McMurtry, Nunnally, Parker, Ruggles, Vandeventer, Warren, Waters, and Worthington—15.

Those who voted in the negative, are,
Messrs. Baker, Barnett, Catlin, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Leviston, Minard, Parrish, Ralston, Ryan, Slocumb, Smith, Stapp, Thompson, and Willbanks—23.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following resolution to wit:

Resolved by the House of Representatives, the Senate concurring herein, That the Secretary of State be instructed to procure a manuscript copy of the historical essay read by the Hon. Sidney Breeze in the Senate Chamber, and that the said Secretary be further instructed to have the same neatly bound, and deposited in the public library under his care.

In the adoption of which they ask the concurrence of the Senate.

On motion of Mr. Worthington,

The bill and amendments were referred to a select committee of five.

Ordered, That Messrs. Worthington, Fithian, Nunnally, Harris and Warren, be that committee.

Mr. Ralston, from the committee on the Judiciary, to whom was referred a bill for "An act to confine justices of the peace and constables to their respective districts in all civil cases," reported the same back, with sundry amendments.

The question was then taken on the amendments offered by the Judiciary committee, and decided in the affirmative.

Mr. Baker moved to amend the bill by adding the following, as an additional section, to wit:

"*SEC. It is further provided,* That no suit shall be dismissed on account of want of territorial jurisdiction in the magistrate, unless the defendant, or some creditable person, shall make affidavit of the existence of some one of the causes for dismissal, provided for in this bill."

The question was taken on the adoption of the amendment, and decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Davidson, Feaman, Fithian, Johnson, Killpatrick, McMurtry, Minard, Ruggles, Smith, Stapp, and Worthington—13.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Dougherty, Evans, Harris, Houston, Leviston, Markley, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Waters, and Willbanks—20.

Mr. Dougherty moved to amend the bill by adding the following as an additional section, to wit:

"*SEC.* That the fees of justices of the peace in all civil cases are reduced one half, and in charging and collecting their fees hereafter, they shall in all cases demand only one half of the amount now allowed by law, any law to the contrary notwithstanding; and said officers may, in all civil

cases, demand and have their fees paid in advance by the party requesting process."

Mr. Stapp moved the indefinite postponement of the proposed amendment; which was not agreed to, by the following vote, to wit:

Those voting in the affirmative, are,

Messrs. Baker, Davis, Feaman, Killpatrick, Smith, and Stapp—6.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Fithian, Harris, Hoard, Houston, Johnson, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Thompson, Vandeverter, Warren, Waters, and Willbanks—27.

Mr. McMurtry moved to amend the proposed amendment, by striking out "one half" and inserting in lieu thereof "twenty-five per cent.," which was not agreed to.

Mr. Parrish moved to amend the amendment, by striking out all after the word "paid," and inserting the following, to wit:

"That hereafter no constable shall be allowed mileage in any civil cause, but he shall be allowed twenty-five cents for serving and returning each summons in all civil causes, and no more."

Mr. Ralston moved to lay the proposed amendment, and amendment to the amendment, on the table.

Mr. Baker moved the previous question, and

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

The question was then taken on laying the amendment, and amendment to the amendment, on the table, and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Cullom, Davidson, Davis, Feaman, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, McMurtry, Parker, Ralston, Ryan, Slocumb, Smith, Stapp, Vandeverter, Warren, Willbanks, and Worthington—25.

Those who voted in the negative, are,

Messrs. Crain, Dougherty, Evans, Fithian, Markley, Minard, Nunnally, Parrish, and Ruggles—9.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the accompanying preamble and resolution, instructing our representation in Congress to procure the passage of permanent and equal pre-emption laws, and for other purposes.

In which they ask the concurrence of the Senate.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the affirmative.

Mr. Parrish, from the committee on Elections, to whom was referred a certain petition, made a report thereon, and asked that the committee be discharged from the further consideration of the subject; which was agreed to.

Mr. Nunnally asked and obtained leave to withdraw the petition of sundry citizens of Vermilion county, relative to William Fithian.

On motion of Mr. Cavarly,

The rules of the Senate were dispensed with, and a bill from the House of Representatives, for an act entitled "An act regulating the sale of property on judgments and executions," was taken up.

Mr. Markley moved a call of the Senate, and after some time spent therein, the further call was,

On motion of Mr. Nunnally, dispensed with.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question pending at the adjournment, being upon the motion to recede from the amendment of the Senate, to the bill from the House of Representatives for an act entitled "An act regulating the sale of property on judgments and executions,"

Mr. Harris moved a call of the Senate, which progressed.

On motion of Mr. Cavarly,

The order of business was suspended, and the bill from the House of Representatives for "An act supplementary to the several acts defining the duties of the public printer," was taken up for consideration; during the pendency of the call, it was read a first time, and

Ordered to a second reading.

On the further motion of Mr. Cavarly,

The rules were dispensed with, and the bill read a second time by its title, and

Referred to the committee on Public Accounts and Expenditures.

On motion of Mr. Killpatrick,

The further proceedings under the call of the Senate were dispensed with.

On the question—"Will the Senate recede from its amendment to the bill for an act entitled 'An act regulating the sale of property on judgments and executions.'"

It was decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Cullom, Evans, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, McMurtry, Nunnally, Parrish, Stapp, Thompson, Vandeventer, Warren, Waters, and Willbanks—21.

Messrs. Catlin, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Markley, Minard, Parker, Ralston, Ruggles, Ryan, and Slocumb—16.

Mr. Stapp moved to amend the first section of the bill, by striking out the words "in ordinary times;" which was agreed to.

The yeas and nays being desired thereon,

Those who voted in the affirmative, are,

Messrs. Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Johnson, Killpatrick, McMurtry, Minard, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, and Worthington—22.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Evans, Harris, Henry, Houston, Leviston, Markley, Nunnally, Parker, Parrish, Vandeventer, Warren, Waters and Willbanks—17.

Mr. Parker moved to amend the fourth section, by adding thereto the following:

"And said execution, order or decree, shall cease to be a lien on personal property, as against other judgment creditors; and on all real estate which shall be offered for sale, as aforesaid, and shall fail to sell for the want of bidders, the lien shall cease to exist after six months, as against other judgment creditors;" which was not agreed to.

Mr. Smith offered the following, as an additional section to the bill:

"SEC. 7. That in all cases where a judgment shall have been standing for the space of twelve months on the docket of any justice of the peace, and the costs which shall have been legally made in the suit upon which the judgment is founded, remain unpaid by reason of the insolvency of the defendant, or from any other cause, it shall be lawful for the justice to issue a fee bill against the plaintiff for all such costs; which fee bill shall be directed to any constable of the county, and shall have the same force and effect of an execution, and shall be collected in the same manner;" which was not agreed to.

Mr. Davis moved to amend the fourth section, by adding to end thereof, the following:

"On the defendant giving to said officer a good and sufficient delivery bond, as now provided by law;" which was not agreed to.

Mr. Ralston moved to amend the first section, by inserting after the word "attachment," in the first line, the words "except executions to collect taxes, fines, forfeitures and executions on judgment for torts;" and to amend the bill generally, by striking out that part relating to deeds of trust, to school funds, and to property not susceptible of division; which motion was,

On motion of Mr. Stapp,

Laid on the table by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Evans, Harris, Henry, Houston, Killpatrick, Leviston, Markley, McMurtry, Parker, Parrish, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Willbanks—21.

Those who voted in the negative, are,

Messrs. Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Johnson, Minard, Nunnally, Ralston, Ruggles, Ryan, Slocumb, and Worthington—18.

Mr. Ralston offered the following amendment, as an additional section:

"Immediately after the sale of real estate on execution, it shall be the duty of the sheriff, or other officer making the sale, to deliver to the purchaser or purchasers thereof, a deed of conveyance for the same, and the said property shall not be liable to redemption as heretofore;" which was,

On motion of Mr. Barnett,

Laid on the table.

Mr. Dav's moved to amend the third section, by inserting after the word "executions," in the first line, the words "except executions issued on judgments for fines, forfeitures, or costs, which shall not be subject to the provisions of this act;" which motion to amend was,

On motion of Mr. Warren,

Laid on the table.

Mr. Catlin made a motion to amend the sixth section, by striking out the word "legal," in the last line, and inserting the word "reasonable;" which was,

On motion of Mr. Baker,

Laid on the table.

Mr. Davis offered the following amendment, as an additional section:

"Sec. 7. In all cases hereafter, when property shall be offered for sale, by virtue of any execution, order, decree in chancery, or fee bill, and such property shall have been previously appraised, under the act to which this is an amendment, the officer offering such property for sale, shall, before selling the same, have such property re-valued, as is provided in this act for the appraisement of property;" which was,

On motion of Mr. Harris,

Laid on the table.

Mr. Davis moved to amend the second section, by adding the following:

"*Provided*, that in all cases, when appraisers, after being so summoned, and sworn to appraise any real estate, levied on or offered for sale, by virtue of any execution, order, decree in chancery, or fee bill, shall appraise only the interest which the defendant has in the same."

Mr. Warren moved to lay the amendment on the table; which was not agreed to, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Evans, Harris, Henry, Houston, Killpatrick, Leviston, McMurtry, Nunnally, Parker, Parrish, Thompson, Vandeventer, Warren, Waters, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Johnston, Markley, Minard, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, and Worthington—20.

Mr. Davis moved to amend the amendment last proposed by him, by striking out the words "only the interest which the defendant has in the same," and inserting in lieu thereof, the words "the same with reference to any lien or mortgage which may be upon such real estate;" which was agreed to, by the following vote:

Those who voted in the affirmative, are,

Messrs. Catlin, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Hoard, James, Johnson, Markley, McMurtry, Minard, Nunnally, Ralston, Ryan, Slocumb, Smith, Stapp, and Worthington—20.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Dougherty, Evans, Harris, Henry, Houston, Killpatrick, Leviston, Parker, Parrish, Ruggles, Thompson, Vandeventer, Warren, Waters, and Willbanks—19.

The question was then put on the adoption of the amendment, as amended, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Johnson, Markley, Minard, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, and Worthington—20.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Crain, Evans, Harris, Henry, Houston, Killpatrick, Leviston, McMurtry, Nunnally, Parker, Parrish, Thompson, Vandeventer, Warren, Waters, and Willbanks—18.

Mr. Johnson moved the adoption of the following, to be added at the end of the seventh section, as an amendment thereto:

"*Provided*, that nothing in this act shall apply to any executions issued in favor of guardians, administrators or executors, for the benefit of minor heirs;" which amendment,

Mr. Worthington moved to amend by adding the following to it:

"Except so far as the said executor, administrator or guardian, may have loaned at interest, or may not have collected the same."

Mr. Worthington moved that the Senate adjourn; which was lost.

Mr. Baker moved to refer the bill and amendments offered to it, to a select committee; and the question being taken thereon, it resulted as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Crain, Dougherty, Evans, Harris, Henry, Houston, Killpatrick, Leviston, McMurtry, Nunnally, Parker, Parrish, Ruggles, Thompson, Vandeventer, Warren, Waters, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Hoard, James, Johnson, Markley, Minard, Ralston, Ryan, Slocumb, Smith, Stapp, and Worthington—19.

Mr. Speaker voted in the negative.

So the Senate refused to make the reference.

Mr. Baker moved to lay the bill and amendments on the table, and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Cullom, Davidson, Dougherty, Evans, Harris, Harrison, Hoard, Houston, James, Killpatrick, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Willbanks, and Worthington—28.

Those who voted in the negative, are,

Messrs. Catlin, Davis, Feaman, Fithian, Henry, Johnson, Leviston, Markley, Minard, Stapp, and Waters—11.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 5, 1843.

Senate met pursuant to adjournment.

On motion of Mr. Ralston,

Leave of absence was granted to Mr. Wynne, until Monday next.

Mr. Baker presented a statement of proceedings of a public meeting of sundry citizens of Sangamon county, with resolutions, on the subject of a valuation law; which he read, and moved to lay on the table. The motion was agreed to.

Mr. Dougherty presented the petition of Michael Kennedy, for relief; the reading of which was dispensed with, and the petition,

On motion of Mr. Dougherty,

Referred to the joint select committee appointed to examine into the acts of the Fund Commissioners.

Mr. Parker, from the committee on Public Roads, to which was referred a bill for "An act for the location of a State road in the counties of Monroe and St. Clair," reported the same back to the Senate, without amendment, and recommended its passage.

Ordered, That the bill be engrossed and read a third time.

Mr. Ryan, from the committee on Canal and Canal Lands, to which was referred that part of the Governor's message which relates to the canal, made a report; which was,

On motion of Mr. McMurtry,

Laid on the table, and one thousand copies thereof ordered to be printed.

Mr. Ryan, from the committee on Canal and Canal Lands, reported a bill for "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt;" which was read, and

Ordered to a second reading.

On motion of Mr. Ryan,

The rules were dispensed with, and said bill read a second time by its title, laid on the table, and five hundred copies thereof ordered to be printed.

Mr. Dougherty, from the committee on Incorporations, to which was referred a bill for "An act granting a ferry to William Smith and Vincent C. Smith," reported the same back to the Senate, without amendment, and recommended its passage.

Ordered, That the bill be engrossed and read a third time.

Mr. Davis, from the committee on the Judiciary, to which was referred a bill for "An act for the relief of Lavinia Joliff," reported the same back to the Senate, with an amendment.

The amendment was concurred in, and the bill, as amended,

Ordered to be engrossed and read a third time.

Mr. Worthington, from the select committee to which was referred a bill for "An act concerning the recorder of Greene county," reported a substitute for the same.

The question was then taken on concurring with the committee in their amendments to the bill, and decided in the affirmative.

The question was then taken on the passage of the bill, and decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Warren offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That both Houses will adjourn on the first Monday of February next, *sine die*, at nine o'clock, A. M.

On motion of Mr. Warren,

The rules of the Senate were dispensed with, and a bill for "An act regulating the sale of property on judgments and executions," was taken up for consideration.

Mr. Baker moved that the bill, and amendments made thereto, be referred to a select committee; and the question being thereon taken,

It was decided, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Crain, Davidson, Evans, Harris, Henry, Houston, Killpatrick, McMurtry, Nunnally, Parker, Parrish, Slocumb, Thompson, Vandeventer, Warren, Waters, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Cullom, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Johnson, Leviston, Markley, Minard, Ralston, Ruggles, Ryan, Stapp, and Worthington—19.

Mr. Speaker voted in the affirmative; so the motion of Mr. Baker to refer was agreed to.

Ordered, That Messrs. Baker, Cavarly, and Henry be that committee.

On motion of Mr. Baker,

The order of business was suspended, so as to enable a select committee to report.

Mr. Baker, from the select committee to which was referred a bill from the House of Representatives, for an act entitled "An act regulating the sale of property on judgments and executions," with sundry amendments, reported the same back to the Senate, amended by striking out said amendments, and recommended its passage as it came from the House.

The question was then on concurring in the report of the select committee, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Evans, Harris, Henry, Houston, Killpatrick, Leviston, McMurtry, Nunnally, Parker, Parrish, Smith, Thompson, Vandeventer, Warren, Waters, and Willbanks—20.

Those who voted in the negative, are,

Messrs. Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Johnson, Markley, Minard, Ralston, Ruggles, Ryan, Slocumb, Stapp, and Worthington—19.

Mr. Stapp moved to amend the bill under consideration, by striking out all after the enacting clause, and inserting the following:

"That any person being a defendant in any execution, fee bill, order, or decree, issuing from any of the courts of this State, whether of record or not, shall be allowed to replevy the same, by entering into bond, with good and sufficient security, to be approved by the officer taking the same, conditioned for the payment of the said debt, together with all costs and interest accruing thereon, for the term of two years, upon all sums of fifty dollars and upwards; and upon all sums under fifty dollars, the defendant in any execution, fee bill, order, or decree, as aforesaid, may replevy the said execution, fee bill, order, or decree, by entering into bond, with good and sufficient security, conditioned for the payment of the said debt, with cost and interest accruing thereon, at the expiration of eighteen months, as aforesaid. This act shall apply to and operate upon all contracts made and entered into since the first day of May, A. D., 1841, and upon all judgments, orders, or decrees which may have been obtained upon notes given to renew existing contracts previous to the first day of May, A. D., 1841, or which may hereafter be obtained upon such renewed notes as aforesaid.

"**SEC. 2.** The replevin bonds herein provided to be taken, shall be filed by the officer taking the same in the office of the officer issuing the execution, fee bill, order, or decree, as aforesaid; the replevin bond here provided for shall be taken in double the amount of the debt and costs, and payable to the plaintiff in execution.

"**SEC. 3.** If the defendant in any execution, fee bill, order, or decree as aforesaid, shall fail, refuse, or neglect to pay the same at the maturity of the replevin bond, execution shall issue thereupon in the same manner as executions now issue upon judgments rendered in the courts of this State, whether of record or not, and shall be sold without reference to valuation.

"**SEC. 4.** This act shall in no wise be deemed to conflict with the provisions of "An act to regulate the sale of property," approved Feb. 27, 1841.

"**SEC. 5.** In all cases where a defendant in execution, fee bill, order, or decree, shall be unable to replevy the same, because of being unable to give sufficient security, the same shall be sold under the provisions of the "Act regulating the sale of property," approved Feb 27, 1841. The provisions of this act shall not apply to contracts made after the first day of January, A. D., 1843.

"**SEC. 6.** The provisions of this act shall not extend to any sheriff, constable, justice of the peace, or attorney, who has or may collect any moneys by reason of his office, and shall not extend to collectors of the public revenue, or to persons owing taxes to the State, county, or any corporate town or city in this State, or to any person against whom any fine or forfeiture may have been or may be assessed for the violation of any statute, or the ordinance of any city or incorporated town in this State.

"**SEC. 7.** The replevin bond herein provided shall not be set aside or taken advantage of on account of any informalities; *Provided*, it shall be fairly executed, and shall set forth the amount of the debt, the name of the plaintiff, the time for which the same is replevied, and the penalty; which, if fairly set forth, shall be taken and deemed to be sufficient.

"**SEC. 8.** The replevin bonds herein provided for shall bear six per cent. interest from date until paid."

Mr. Warren moved the previous question; and,

On the question—"Shall the main question be now put?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Evans, Harris, Houston, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, and Willbanks—20.

Those who voted in the negative, are,

Messrs. Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Minard, Ralston, Ruggles, Ryan, Stapp, and Worthington—19.

The question was then taken on the adoption of the amendment offered by Mr. Stapp, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Cullom, Davis, Dougherty, Feaman, Harrison, Hoard, James, Minard, Ralston, Ryan, Stapp, and Worthington—12.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Crain, Davidson, Evans, Fithian, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Mark-

ley, McMurtry, Nunnally, Parker, Parrish, Ruggles, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, and Willbanks—27.

And on the question—"Shall the bill be ordered to a third reading?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Dougherty, Evans, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Smith, Thompson, Vandeventer, Warren, Waters, and Willbanks—23.

Those who voted in the negative, are,

Messrs. Catlin, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Hoard, James, Minard, Ralston, Ruggles, Ryan, Slocumb, Stapp, and Worthington—16.

Mr. Warren moved that the rules be dispensed with, and the bill read a third time by its title; and,

On the question being taken, by yeas and nays, it resulted as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Cullom, Dougherty, Evans, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Ruggles, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Willbanks—26.

Those who voted in the negative, are,

Messrs. Catlin, Davidson, Davis, Feaman, Fithian, Harrison, Hoard, James, Minard, Ralston, Ryan, Slocumb, and Worthington—13.

Three-fourths of the Senate failing to vote in the affirmative, the motion to dispense with the rules was not agreed to.

On motion of Mr. Dougherty,

The order of business was suspended, so as to enable a standing committee to report.

Mr. Dougherty, from the committee on Incorporations, to which was referred the petition of seventy-six persons, trustees and others, citizens of Mt. Vernon and vicinity, in Jefferson county, reported a bill for "An act to legalize the re-survey of the town of Mount Vernon;" which was read, and

Ordered to a second reading.

Mr. Stapp, on leave, introduced a bill for "An act to provide for the reduction of the number of Supreme Judges, and to provide for the establishment of circuit courts;" which was read, and

Ordered to a second reading.

Mr. Dougherty moved that the Senate adjourn; which was lost.

Mr. Cavarly, on leave, introduced a bill for "An act appropriating certain property to the payment of the State debt;" which was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rules were dispensed with, and said bill read a second time by its title, laid on the table, and ordered to be printed.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Warren,

The rules were dispensed with, and the bill from the House of Representatives, for an act entitled "An act regulating the sale of property on judgments and executions," was taken up, and read a third time.

Pending the question—"Shall the bill pass?"

Mr. Warren moved a call of the Senate, which proceeded for some time; and was, on motion of Mr. Parker, dispensed with.

The question was then put—"Shall the bill pass?" and decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Killpatrick, by consent, offered for adoption the following resolution, which lies one day on the table:

Resolved, That the standing hour for the Senate to meet in the morning shall be half past nine o'clock.

On motion,

The Senate adjourned.

FRIDAY, JANUARY 6, 1843.

Senate met pursuant to adjournment.

Mr. Baker presented the petition of sundry citizens of Mason county, praying for the passage of a law permanently locating the seat of justice of that county at Bath; the reading of which was,

On motion of Mr. Baker,

Dispensed with, and referred to the committee on Counties.

Mr. Baker, from the committee on Retrenchment, to which was referred a resolution relative to John Kavanaugh, reported the same back to the Senate, and asked to be discharged from the further consideration of the subject.

The question was then taken on discharging the committee from the further consideration of the subject, and decided in the negative, by the following vote, to-wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Davis, Fithian, Markley, Minard, Nunnally, Ralston, Ruggles, Ryan, Thompson, Warren, Waters, and Worthington—15.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Cullom, Davidson, Dougherty, Feaman, Harris, Henry, Hoard, Houston, James, Johnson, Killpatrick, Leviston, McMurry, Parker, Parrish, Smith, Stapp, and Willbanks—20.

Mr. Leviston, from the committee on Internal Improvement, to which was referred a bill for "An act granting a ferry to Thomas Eagan," reported the same back, with an amendment; which amendment was concurred in by the Senate, and the bill was

Ordered to be engrossed for a third reading.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a certain petition, reported a bill for "An act to enable the collector

of Monroe county to collect the delinquent taxes of 1839;" which was read the first time, and

Ordered to a second reading.

Mr. Cavarly, from the committee on Public Accounts and Expenditures, to which was referred a bill from the House of Representatives, for "An act supplementary to the several acts defining the duties of the Public Printer," reported the same back, without amendment.

On motion of Mr. Davis,

The bill was amended, by adding the following as an additional section, to wit:

"SEC. 3. That the act approved January 1, 1840, providing for the binding of the laws and journals, be and the same is hereby repealed, and that the acts and parts of acts repealed therein, are hereby revived in full force.

"SEC. 4. That the prices to be hereafter paid the Public Printer or Printers, for folding, stitching and binding shall be reduced twenty-five per cent. on all such work; that is to say, for binding laws (leather backs and paper sides) when the number of pages does not exceed one hundred and fifty, fifteen cents per hundred pages that each volume may contain; acts or laws over one hundred and fifty pages, at the rate of eleven and one-third cents per hundred pages each volume may contain; and in case of a revision of the laws, the said Public Printer or Printers are to furnish leather and full bind, with leather covering, (law form,) in a substantial workmanlike manner, all such laws as may be ordered to be bound, for which there shall be added eleven and one-third cents, over the price of the half binding, for each and every volume so full bound; and for doing up the journals and the volume of documents, by folding, stitching, covering with blue paper, and cutting the edges of the same, there shall be allowed at the rate of four and a half cents for every one hundred pages each volume may contain. This act to take effect immediately after its passage, but is no wise to interfere with the binding of the present session."

Mr. Stapp moved to amend the first section of the bill, by striking out "one thousand" wherever it occurs, and insert in lieu thereof "five hundred."

Mr. Harris called for a division of the question, so as first to take the vote on striking out that part that relates to the journals; and,

On the question—"Shall 'one thousand journals' be stricken out, and 'five hundred' inserted in lieu thereof?"

It was decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Cullom, Fithian, Harrison, Hoard, James, Ralston, Smith, Stapp, and Waters—11.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Davidson, Davis, Feaman, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ruggles, Ryan, Thompson, Warren, Willbanks, and Worthington—24.

The question was then taken on striking out the words "one thousand reports," and inserting in lieu thereof, the words "five hundred reports," and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Cullom, Davidson, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Markley, Minard, Nunnally, Ralston, Ruggles, Ryan, Smith, Stapp, Thompson, Warren, Waters, and Willbanks—28.

Those who voted in the negative, are,

Messrs. Catlin, Davis, Loviston, McMurtry, Parker, Parrish, and Worthington—7.

The question was then taken on ordering the bill, as amended, to a third reading, and decided in the affirmative.

Mr. Baker, from the committee on Retrenchment, to which was referred a resolution relative to John Kavanaugh, made a report; which was read, and,

On motion of Mr. Ralston,

Laid on the table.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, to wit:

Resolved by the House of Representatives, the Senate concurring herein, That the Public Printer delay all other State printing till he shall have printed 5000 copies for distribution of the law regulating the sale of property on judgments and executions, and that he execute said printing at as early a day as it may be practicable to perform the same, as soon as the same is approved by the Council of Revision.

In which they ask the concurrence of the Senate.

On motion of Mr. Henry,

The rules of the Senate were dispensed with, and the foregoing message was taken up.

On motion of Mr. Davidson,

The resolution was amended, by striking out the words "five thousand," and inserting in lieu thereof, "two thousand."

The question was then taken on the adoption of the resolution, as amended, and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Ryan introduced a bill for "An act to amend an act entitled 'An act concerning the public revenue,'" which was read the first time, and

Ordered to a second reading.

Mr. Dougherty introduced a bill for "An act to amend 'An act to incorporate the city of Nauvoo,' in force February 1st, 1841;" which was read the first time, and

Ordered to a second reading.

The resolution of Mr. Parrish, instructing the committee on Finance to inquire into the expediency of reducing the taxes, &c., was taken up, and adopted.

The resolution of Mr. Killpatrick, relative to changing the standing hour of adjournment, was taken up, and,

On motion of Mr. Stapp,

Laid on the table.

The resolution introduced by Mr. Warren, fixing the first Monday of February next to adjourn, *sine die*, &c., was taken up.

Mr. Davis moved to lay the resolution on the table; which motion was not agreed to, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Cullom, Davis, Dougherty, Feaman, Henry, Houston, Johnson, Markley, Nunnally, Ralston, Ruggles, Ryan, Smith, Stapp, and Worthington—15.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Crain, Davidson, Fithian, Harris, Harrison, Hoard, James, Killpatrick, Leviston, McMurtry, Minard, Parker, Parrish, Warren, Waters, and Willbanks—20.

Mr. Baker moved to amend the resolution, by striking out the "first Monday," and inserting the "fifteenth day."

Mr. Davis moved to amend the amendment, by adding the following, to wit:

"Or so soon as they can accomplish, by strict attention and close application, the business which they were sent here to perform."

Mr. Parrish moved to refer the resolution and proposed amendments to the committee on Retrenchment.

On motion of Mr. Henry,

The resolution, and proposed amendments, were laid on the table until the first day of February, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cullom, Davis, Dougherty, Feaman, Henry, Hoard, Houston, Killpatrick, Markley, McMurtry, Minard, Ralston, Ruggles, Ryan, Smith, Stapp, and Worthington—19.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Fithian, Harris, Harrison, James, Johnson, Leviston, Nunnally, Parker, Parrish, Thompson, Warren, Waters, and Willbanks—17.

On motion of Mr. Cavarly,

The rules of the Senate were dispensed with, to enable him to introduce the following preamble and resolution, to wit:

Whereas, the State Treasurer has ceased to deposit the revenue of the State Bank of Illinois; *And whereas*, said Treasurer has now in his possession near thirty thousand dollars of the revenue, and no safe place to keep the same; *And whereas*, there is a fire proof vault in the State House, which only requires shutters of suitable strength, in order to render it a safe place of deposit for said Treasurer to make his deposits in; therefore,

Resolved by the Senate, the House of Representatives concurring herein, That the Secretary of State is hereby required to procure shutters of suitable strength to be made for the fire proof vault in the State House, that said vault may be used as a place of deposit of the revenue of the State.

Resolved, That said Secretary be further instructed to finish the interior of said vault, for the reasons mentioned in the first resolution.

The rules were, on motion of Mr. Cavarly, further suspended in order that the resolutions might be acted on immediately.

The question was then taken on the adoption of the preamble and resolutions, and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act to incorporate the Peoria Water Company," was read the third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Davis,

The message from the House of Representatives, containing a resolution and amendments, some days since laid on the table, relative to the election of Attorney General, &c., was taken up.

Mr. Baker moved to refer the resolution and amendments to a select committee; which was not agreed to.

Mr. Harris moved to lay the resolution and amendment on the table; which was not agreed to.

The question was then taken on the amendment to the amendment, which is as follows: "and three Judges of the Supreme Court," and decided in the negative.

The question was then taken on the amendment, which is to add "Public Printer," and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,
Messrs. Baker, Barnett, Catlin, Crain, Cullom, Davidson, Davis, Feaman, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Markley, McMurtry, Parker, Ralston, Ruggles, Ryan, Warren, and Willbanks—23.

Those who voted in the negative, are,
Messrs. Cavarly, Fithian, Harris, Leviston, Minard, Nannally, Parrish, Smith, Stapp, Thompson, Waters, and Worthington—12.

Mr. Harris moved to amend by amend, by striking out "seventh," and insert "fourteenth."

Mr. McMurtry called for a division of the question, so as first to take the vote on striking out.

The question was then taken on striking out and decided in the affirmative.

Mr. McMurtry moved to fill the blank with the "ninth."

The question was then taken on filling the blank with the "fourteenth," and decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,
Messrs. Cavarly, Crain, Harris, Hoard, Houston, James, Johnson, Leviston, Minard, Nunnally, Ralston, Ruggles, Ryan, Smith, Stapp, Thompson, and Waters—17.

Those who voted in the negative, are,
Messrs. Baker, Barnett, Catlin, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Killpatrick, Markley, McMurtry, Parker, Parrish, Warren, Willbanks, and Worthington—18.

The question was then taken on filling the blank with the "ninth instant," and decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,
Messrs. Baker, Catlin, Cullom, Davis, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Markley, McMurtry, Nunnally, Parker, Ruggles, and Warren—17.

Those who voted in the negative, are,
Messrs. Barnett, Cavarly, Crain, Davidson, Feaman, Harris, Houston,

Leviston, Minard, Parrish, Ralston, Ryan, Smith, Stapp, Thompson, Waters, Willbanks, and Worthington—18.

Mr. Ralston moved to amend, by striking out and inserting the following to wit:

"Resolved by the Senate and House of Representatives, That the two Houses of the General Assembly will meet in the Hall of the House of Representatives, on Saturday, the 14th instant, at 2 o'clock, for the purpose of electing three Judges of the Supreme Court, an Auditor of Public Accounts, a State Treasurer, Attorney General, and State Printer."

On motion of Mr. Barnett,

The proposed amendment was laid on the table.

Mr. Worthington moved to amend the resolution, by striking out all after the word "resolved," and insert the following, to wit:

"That the Secretary of State be authorized to receive sealed proposals, with responsible names as sureties, and that the lowest responsible bidder be contracted with by the Secretary for the public printing."

Mr. Warren moved to lay the amendment proposed by Mr. Worthington on the table.

Mr. Baker moved to lay the resolution, and proposed amendment, on the table; which was agreed to.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the accompanying preamble and resolutions; which resolutions call upon Congress to pass a law granting appropriations for the improvement of the western rivers, &c.

In which they ask the concurrence of the Senate.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant adjournment.

Engrossed bills of the following titles:

A bill for "An act to locate a State road from Utica to Killa's Landing, in Fulton county;" and

A bill for "An act for the location of a State road in the counties of Monro and St. Clair," were severally read a third time, (the first by its title, on the motion of Mr. Warren,) and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act for the relief of Lavinia Joliff," was read a third time and passed; and,

On motion of Mr. Cavarly,

Ordered, That the title of said bill be amended, by striking out the words "for the relief of Lavinia Joliff," and inserting instead thereof, the words "to change the names of Lavinia Joliff and Hannah Clark."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act granting a ferry to William Smith and Vincent C. Smith," was read a third time, and,

On motion of Mr. Stapp.

Laid on the table.

Engrossed bill for "An act to confine justices of the peace and constables to their respective districts," was read a third time, when

Mr. Fithian moved to amend the proviso of the bill, by striking out the words "occurred, or where the demand on which the suit is brought;" and

The question being taken thereon, it resulted as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catliu, Cavarly, Feaman, Fithian, Harris, Killpatrick, Markley, McMurtry, Nunnally, Parker, Ruggles, Stapp, Warren, Waters, and Willbanks—16.

Those who voted in the negative, are,

Messrs. Baker, Crain, Culliom, Davis, Dougherty, Henry, Hoard, Johnson, Leviston, Minard, Parrish, Ralston, Ryan, Smith, Thompson, and Worthington—16.

Mr. Speaker voted in the affirmative.

So the motion to amend, by striking out, was agreed to.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have adopted the accompanying preamble and resolution, proposing to surrender a room in the State House to the county of Sangamon, to be used as a court house, &c.

In the adoption of which they ask the concurrence of the Senate.

Pending the question on the passage of the bill under consideration, as amended,

Mr. Smith moved a call of the Senate.

During the pendency of the call, Mr. Ralston moved to suspend the order of business, and take up the bill from the House of Representatives for "An act to diminish the State debt, and put the State Bank into liquidation;" which was agreed to.

On motion of Mr. Ralston,

Ordered, That said bill be referred to a committee of the whole Senate, and made the special order of the day for to-morrow, at 2 o'clock, P. M.

On motion of Mr. Baker,

The call of the Senate was dispensed with.

On motion of Mr. Killpatrick,

Ordered, That the vote taken on amending the proviso of the engrossed bill on the Senate last under consideration, be reconsidered.

The question was then again taken upon amending the proviso as aforesaid, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Harris, Harrison, Markley, McMurtry, Nunnally, Parker, Parrish, Ruggles, Stapp, Thompson, Warren, Waters, and Willbanks—17.

Those who voted in the negative, are,

Messrs. Baker, Crain, Cullom, Davis, Dougherty, Feaman, Henry, Hoard, Johnson, Killpatrick, Leviston, Minard, Ralston, Smith, and Worthington—15.

Mr. Ruggles, also, moved to amend the proviso, by striking out the

words "cause of action," and inserting in their place the word "debt," which was not agreed to.

Mr. Baker moved to amend the second section of the bill, by adding thereto the following:

"*And provided*, that no constable shall charge more mileage, on any process which he may serve, than for the number of miles which he may actually travel in his own magistrate's precinct."

Mr. Ralston moved to amend the amendment proposed by Mr. Baker, by striking out the words "in his own magistrate's precinct."

Mr. Baker moved to lay the bill and amendment on the table; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Davis, Dougherty, Feaman, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Smith, and Worthington—13.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Fithian, Harris, Harrison, Leviston, Markley, Nunnally, Parker, Parrish, Ralston, Ruggles, Stapp, Thompson, Warren, Waters, and Willbanks—20.

On motion of Mr. Warren,

The amendment proposed by Mr. Baker, and the amendment to the amendment, were

Laid on the table.

Mr. Cullom moved to amend the bill by adopting the following as an additional section:

"This law shall not be so construed as to effect any contract existing before the passage of this act."

Mr. Barnett moved to lay the amendment proposed by Mr. Cullom on the table; and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Crain, Fithian, Hattis, Harrison, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Stapp, Thompson, Warren, Waters, and Willbanks—20.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Henry, Hoard, Johnson, Minard, Smith, and Worthington—13.

And on the question—"Shall the bill pass?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Fithian, Harris, Harrison, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Stapp, Thompson, Warren, Waters, and Willbanks—20.

Those who voted in the negative, are,

Messrs. Baker, Crain, Cullom, Davidson, Davis, Dougherty, Feaman, Henry, Hoard, Johnson, Minard, Smith, and Worthington—13.

On motion of Mr. Ralston,

The title of the bill was amended, by striking out the words "and constables."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Stapp moved the adoption of the following rule:

"RULE— Hereafter, no bill, after the same shall have been engrossed, or ordered to a third reading, shall be subject to amendment, except by the concurrence of two-thirds of the Senate."

And the question being taken on the adoption of the rule,

It was decided in the negative.

Senate bills of the following titles were severally read a second time, and referred to the committee on the Judiciary, to wit:

A bill for "An act to amend the attachment laws;"

A bill for "An act requiring the county commissioners' courts of the several counties of this State to provide a general index for their county records, and for other purposes," and

A bill for "An act for the apprehension and safe keeping of fugitive slaves."

Senate bills of the following titles were severally read a second time, and referred to the committee on Finance, to wit:

A bill for "An act to change the place of entering up judgment for taxes;" and

A bill for "An act to provide for the impartial selection of petit jurors by the county commissioners' courts."

Senate bill for "An act to regulate interest at six per cent," was read a second time, and,

On motion of Mr. Johnson,

Referred to the select committee to which was referred another bill on the same subject.

Senate bill for "An act to repeal portions of 'An act to provide for the payment of interest on the public debt,' approved February 27, 1841," was read a second time, and,

On motion of Mr. Davidson,

Referred to the committee of the whole Senate.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have refused to order to a third reading, the Senate's bill for "An act to authorize the Governor to appoint State's Attorneys."

They have also concurred in the Senate's amendment, proposing to print 2000 copies instead of 5000 copies of the law regulating the sale of property.

Senate bills of the following titles were severally read a second time, and Ordered to be engrossed for a third reading, to wit:

A bill for "An act to change the name of the town of Florence, Ogle county, to that of Oregon;"

A bill for "An act to repeal the laws incorporating the town of Chester;"

A bill for "An act to vacate a State road therein named," and

A bill for "An act to legalize the survey of the town of Mount Vernon."

Senate bill for "An act to amend an act entitled 'An act to authorize the sale of the Saline lands in Bond county,'" was read a second time by its title, and,

On the motion of Mr. Davidson,

Referred to the committee on Salines and Saline Lands.

Senate bill for "An act to provide for the reduction of the number of

Supreme Judges, and to provide for the establishment of circuit courts," was read a second time, and,

On motion of Mr. Parrish,
Referred to the committee on the Judiciary.

On motion of Mr. Ralston,
The order of business was suspended, so as to enable him to offer the following resolution:

Resolved, That the committee on Public Building be instructed to report a bill providing for the immediate repair of the roof of the State House.

On the further motion of Mr. Ralston,
The rule requiring resolutions to lie one day on the table, was dispensed with, and said resolution adopted.

On motion,
The Senate adjourned.

SATURDAY, JANUARY 7, 1843.

Senate met pursuant to adjournment.

Mr. Ralston, from the committee on Finance, which, together with the committee on Finance of the House of Representatives, was instructed, by joint resolution, to examine into the present condition, as well as previous management of the offices of the Auditor of Public Accounts and Treasurer, made report.

Mr. Ralston moved to lay the report on the table, which was not agreed to; when,

On motion of Mr. Davidson,

The same was referred to the committee on Incorporations, with instructions "to inquire whether Milton Wash was at any time employed by the Auditor and Treasurer, to perform duties in their respective offices, at the same time; and whether the said Auditor and Treasurer did ever, at any time, leave with the said Wash, blank warrants signed by them respectively; and that said committee have power to send for persons and papers."

Joel A. Matteson, Senator elect from the counties of Will, Du Page and Iroquois, appeared, was qualified, and took his seat.

Mr. Nunnally, from the committee on Public Buildings, which had been instructed, by resolution, to report a bill providing for the immediate repair of the roof of the State House, reported a bill for that purpose, entitled a bill for "An act concerning the roof of the State House;" which was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,
The rules were dispensed with, and the said bill read a second time by its title.

On motion of Mr. Davidson,

The rules were further dispensed, and the bill read a third time and passed.

Ordered, that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Waters, from the select committee, to which was referred a bill for "An act to repeal 'An act regulating interest on money,'" and a bill for "An act to regulate interest at six per cent," reported said bills back to

the Senate, and recommended the rejection of the former, and the passage of the latter.

Mr. Dougherty moved to amend the second section of the last named bill, by striking out "six per cent.," and inserting "eight per cent."

Mr. Baker moved to lay said bill and amendment on the table, and the question being taken thereon,

It was decided in the negative, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Davis, Feaman, Fithian, Hoard, James, Minard, Parrish, Ralston, Ryan, Smith, Willbanks, and Worthington—13.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Dougherty, Harris, Harrison, Henry, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Ruggles, Stapp, Thompson, Vandeventer, Warren, and Waters—22.

Pending the question on the adoption of the amendment proposed by Mr. Dougherty,

Mr. Baker moved to amend the same, by striking out "eight per cent.," and inserting "ten per cent."

Mr. Waters moved to lay the amendment, and the amendment to the amendment, on the table; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Crain, Harris, Johnson, Killpatrick, Leviston, Markley, McMurtry, Parker, Parrish, Ruggles, Stapp, Thompson, Vandeventer, Warren, and Waters—16.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, James, Matteson, Minard, Nunnally, Ralston, Ryan, Willbanks, and Worthington—17.

Mr. Davidson moved to refer said bill and amendment to the committee on School Lands and Education, with instructions "to amend the bill, so as to authorize the reservation of eight per cent., by special agreement, and in the absence of any such agreement, the rate to be six per cent. per annum; and also to reduce the rate of interest for debts due the school, college and seminary funds."

Mr. Davis moved to amend the instructions, by striking out "eight," and inserting in lieu thereof "ten;" and the question being taken thereon,

It was decided in the negative, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Davis, Feaman, Fithian, Harrison, Henry, Hoard, James, Minard, Ralston, Ryan, Thompson, Vandeventer, and Worthington—14.

Those voting in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Harris, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Ruggles, Stapp, Warren, Waters, and Willbanks—20.

Mr. Stapp moved to amend the instructions, by striking out that portion which relates to eight per cent., and pending the question thereon,

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The Speaker announced Mr. Matteson, as a member of the Finance, Canal and Canal Lands, and Petition committees.

Mr. Cavarly moved that the Senate do now resolve itself into a committee of the whole, to take into consideration the bill from the House of Representatives for "An act to diminish the State debt, and put the State Bank into liquidation."

Mr. Harris moved a call of the Senate; which progressed.

Mr. Davis moved that the Senate adjourn; which was not agreed to.

Mr. Davidson moved that the Senate adjourn; and the question being taken thereon, it resulted as follows:

Those voting in the affirmative, are,

Messrs. Barnett, Davidson, Davis, Harris, Harrison, Henry, Hoard, James, Killpatrick, McMurtry, Minard, Ryan, Waters, and Worthington.—14.

Those voting in the negative, are,

Messrs. Baker, Catlin, Cavarly, Feaman, Leviston, Markley, Parker, Parrish, Ralston, Ruggles, Smith, Vandeventer, Warren and Willbanks—14.

Mr. Speaker voted in the affirmative.

So the Senate adjourned.

MONDAY, JANUARY 9, 1843.

Senate met pursuant to adjournment.

Mr. Parker presented the petition of Alexander McWilliams and others, praying for the passage of a law to authorize William B. Marrs, administrator of Frederick Boyers deceased, to make a deed to certain lands therein named; the reading of which was,

On motion of Mr. Parker,

Dispensed with, and referred to the committee on the Judiciary.

On motion of Mr. Baker,

The bill for "An act to diminish the State State debt, and put the State Bank into liquidation," now before the committee of the whole Senate, was made the special order of the day for 2 o'clock, P. M., this afternoon.

Mr. Baker, from the committee on the Judiciary, to which was referred a bill for "An act regulating the presentation of bills of exchange and promissory notes," reported the same back without amendment, and recommended the rejection of the bill.

On motion of Mr. McMurtry,

The bill was laid on the table.

Mr. Baker, from the committee on the Judiciary, to which was referred a bill for "An act to amend the attachment law," reported the same back and recommended its rejection.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the negative.

Mr. Davis, from the committee on the Judiciary, to which was referred a bill for "An act placing landlords on an equality with other creditors," reported the same back without amendment, and recommended its rejection.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the negative.

Mr. Harrison, from the committee on Internal Navigation, to which was referred "the petition of sundry citizens of Peoria, Tazewell and Woodford counties," &c., reported the same back, and asked to be discharged from the further consideration of the subject; which was agreed to.

Mr. Thompson moved that the petition, just reported back by the committee on Internal Navigation, be referred to the committee on the Judiciary.

On motion of Mr. Killpatrick,

The petition was laid on the table.

Mr. Harrison, from the committee on Internal Navigation, to which was referred a bill for an act to amend "An act entitled 'An act to establish a ferry across the Illinois river, approved February 23, 1841,'" reported the same back with an amendment.

The question was then taken upon agreeing with the committee in their amendment to the bill, and decided in the affirmative, and the bill, as amended, was

Ordered to be engrossed for a third reading.

Mr. Ralston, from the committee on Finance, reported a bill for "An act to declare what shall be received in payment of taxes, and other public dues;" which was read, and

Ordered to a second reading.

On motion of McMurtry,

The rules were dispensed with, and said bill read a second time by its title.

Mr. McMurtry moved to amend the bill by inserting after the words "gold and silver," wherever they occur therein, the words "or the notes of specie paying banks;" and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Feaman, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Slocumb, Smith, Stapp, Vandeventer, and Waters—14.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Davidson, Davis, Hoard, Houston, James, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Ryan, Thompson, Warren, Willbanks, and Worthington—20.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, in which they ask the concurrence of the Senate:

Resolved by the House of Representatives, the Senate concurring herein, That the joint select committee, appointed to investigate the affairs of the Fund Commissioners, have power to send for persons and papers, and to swear witnesses.

Mr. Stapp moved to amend the bill under consideration, by adding thereto the following:

"*Provided*, that county commissioners' courts of the several counties, and the trustees of incorporated towns and cities in this State, may, from

time to time direct, in what kind of funds, taxes and other dues to the counties, and incorporated towns and cities, shall be received; *And provided*, that this act shall not prevent the reception of certificates for wolf scalps for State revenue."

Mr. Ralston called for a division, so as first to take the vote upon the first proviso,

And the question being taken upon the adoption of the first proviso, It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Davidson, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Smith, Stapp, Vandeventer, and Waters—13.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Feaman, Hoard, Houston, James, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Ryan, Slocumb, Thompson, Warren, and Willbanks—21.

The question was then taken upon the adoption of the second proviso, and decided in the affirmative; to which proviso,

Mr. Parker moved to add the following:

"*Provided*, that this act shall not apply to the remainder of the revenue, which now remains unpaid for the year 1842;" which,

Mr. Killpatrick moved to amend by adding thereto, the following:

"But the taxes due the State for the year 1842 may be paid in the paper of the Bank of Illinois, and State Bank of Illinois, or either, at par; and when such notes are paid into the State Treasury, it shall be paid out on Auditor's warrants, at the rate of two dollars for one."

Mr. Ralston moved to refer the bill and amendments to the committee on Finance,

Mr. Parrish moved to amend the motion of Mr. Ralston, by adopting the following instructions to that committee:

"With instructions to ascertain the amount necessary to an economical administration of the State government, and to provide for the collection of no more revenue than will be sufficient to meet the necessary demands upon the Treasury."

Mr. Ralston withdrew his motion to refer the bill and amendment to the committee on Finance.

Pending the question upon the adoption of the amendment offered by Mr. Killpatrick, to the amendment offered by Mr. Parker, Mr. Henry moved to lay them on the table; which was not agreed to.

On motion of Mr. Cavarly,

Ordered, That said bill and amendments be referred to the committee on Finance, with the above instructions, proposed by Mr. Parrish.

On motion of Mr. Wynne,

Ordered, That the order of business be suspended, to enable him to present a remonstrance.

Mr. Wynne presented the remonstrance of two hundred and fifty-nine citizens of Mason county, against the removal of their county seat; the reading of which was dispensed with, and the same,

On motion of Mr. Wynne,

Referred to the committee on Counties.

On motion of Mr. Willbanks,

The rules were dispensed with; and the following resolution offered by him, was adopted:

Resolved, That the use of this Chamber be granted to the citizens of Springfield, this evening, for the purpose of celebrating the twenty-eighth anniversary of the victory achieved by General Andrew Jackson at New Orleans.

On motion of Mr. Davis,

The Senate adjourned.

TUESDAY, JANUARY 10, 1843.

Senate met pursuant to adjournment.

Mr. Markley presented the petitions of sundry citizens of Fairview, in Fulton county, praying for the passage of an act to incorporate the Protestant Reformed Dutch Church, in Fairview, Fulton county; the reading of which, was,

On motion of Mr. Markley,

Dispensed with, and the same referred to the committee on Petitions.

Mr. Ryan presented the memorial of C. Macalester and H. G. Stebbins, praying for relief, on account of certain advances made by them; which was read, and,

On motion of Mr. Ryan,

Referred to the joint select committee appointed to examine the affairs of the Fund Commissioners.

Mr. Cullom presented the petition of sundry citizens of Tazewell county, praying for a division of that county; the reading of which, was,

On motion of Mr. Cullom,

Dispensed with, and referred to the committee on Counties.

Mr. Stapp presented the petition of sundry citizens of Warren county, praying the amendment of the school law, so as to provide for the annual election of school directors, &c., the reading of which was dispensed with, and the same,

On motion of Mr. Warren,

Referred to the committee on School Lands and Education.

Mr. Stapp also presented the petition of two hundred and thirty citizens of Warren county, praying the extension of the late valuation law, and for the passage of a stay law; the reading of which was,

On motion of Mr. Stapp,

Dispensed with, and the petition laid on the table.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the petition of sundry citizens of Fulton county, praying for a change in the revenue law, reported a bill for "An act to amend an act, entitled 'An act concerning the public revenue;'" which was read, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rules were dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Parrish, from the committee on Elections, to which was referred the petition of William M. Bell and accompanying papers, reported a bill

for "An act for the relief of William M. Bell;" which bill was read, and
Ordered to a second reading.

Mr. Ralston from the committee on the Judiciary, to which was referred the petition of sundry citizens of Shelby county, reported a bill for "An act for the relief of Francis Inman and others;" which bill was read, and

Ordered to a second reading.

Mr. James, from the committee on Finance, which had had under consideration a resolution, instructing that committee to examine the printed reports of last session, &c., made report; which report was,

On motion of Mr. Ralston,

Concurred in.

Mr. Hoard offered for adoption a preamble and resolution; and the rule having been,

On motion of Mr. Hoard,

Dispensed with, the same were considered, and are as follows:

Whereas, it appears by the report of the State Bank of Illinois, that this State is indebted to the bank in the sum of \$292,000; *And whereas*, it does not appear upon what calculations and principles this balance was found to be due the bank; *And whereas*, it is believed that in making up the profit and loss account of the bank, losses, which have accrued upon contracts made, or growing out of contracts made previous to the existence of the partnership between the Bank and State, have been charged to the partnership profit and loss account; *And whereas*, it is understood to have been the practice of the bank, to charge interest upon payments made upon Auditor's warrants, from the day of such payment, and not allowing interest upon the deposits made by the Treasurer, until the end of each quarter; *And whereas*, it does not appear, whether the bank has credited the State, the amount of bonus of one half of one per cent. per annum, upon the bank stock owned by the State, according to the provisions of the act approved February 27, 1841, concerning the State Bank of Illinois; *And whereas*, it is believed the bank has charged the State the interest upon the State bonds held by the bank, and not credited any dividend which would have justly belonged to the State, as her portion of such interest; *And whereas*, it is highly important for the interests of the State, that a fair and equitable settlement should be had with the bank at as early a day as possible; therefore,

Resolved by the Senate, the House of Representatives concurring herein, That it shall be the duty of the Governor, immediately, to appoint a competent committee to investigate the accounts of the bank, and ascertain the true statement of such accounts, and the balance due to or from the bank, upon a fair and equitable settlement, taking into view the various subjects embraced in the foregoing preamble; and that such committee shall report to the Legislature the result of their investigation at the earliest possible period; and that said committee have power to send for persons and papers, and to swear witnesses.

Mr. Davidson moved to lay the preamble and resolution on the table; and the question being taken thereon,

It was decided in the negative, as follows:

Those voting in the affirmative, are,

Messrs. Barnett, Cullom, Davidson, Davis, Dougherty, Harrison, James

Killpatrick, Leviston, Matteson, McMurtry, Parker, Ruggles, Slocumb, Smith, Warren, Willbanks, Worthington, and Wynne—19.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Feaman, Fithian, Henry, Hoard, Houston, Johnson, Markley, Minard, Nunnally, Parrish, Ralston, Ryan, Stapp, Thompson, Vandeventer, and Waters—19.

Mr. Speaker voted in the negative.

Mr. Fithian moved to amend the preamble and resolution, by striking them out and inserting the following in lieu thereof:

Resolved, That the President and Cashier of the State Bank of Illinois be requested to report to the Senate, within the next twenty-four hours, in detail, the credits and debits of the State of Illinois with said bank;" which was,

On motion of Mr. Vandeventer,

Laid on the table.

The question was then taken on the adoption of the preamble and resolution, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, Houston, James, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington and Wynne—37.

Mr. Killpatrick voted in the negative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Nunnally offered for adoption the following resolutions, which lies one day on the table:

Resolved by the Senate, That the committee on the Judiciary be requested to inquire into the expediency of extending the jurisdiction of probate justices of the peace, in all cases wherein guardians are plaintiffs; also, whether the third section of the act relative to probate justices of the peace, approved February 25, 1837, will authorize probate justices to take acknowledgements of deeds, and other instruments of writing; and that they report by bill or otherwise.

Resolved by the Senate, That the Auditor of Public Accounts be requested to report to the Senate all the information to be found in his office, respecting a certain tract of land, known as section nine, township twelve north, range thirteen west, situated in the county of Edgar, for the purpose of ascertaining whether the right of said tract of land belongs to the State of Illinois, or the General Government.

Mr. Vandeventer offered the following resolution, which was adopted; the rule having been, on his motion, dispensed with:

Resolved, That the Public Printer be requested to furnish the rules and joint rules of both branches of the Legislature without delay:

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That both Houses of the General Assembly will meet in the Hall of the House of Representatives, on Thursday, the 12th day of January, A. D., 1843, at 7 o'clock P. M., for the purpose of electing an Attorney General and Public Printer for the State of Illinois.

In which they ask the concurrence of the Senate.

Mr. Fithian offered for adoption the following resolution, which lies one day on the table:

Resolved, That the Auditor of Public Accounts be requested to report to this Senate, at his earliest convenience, what amount is now due from purchasers and lessees of saline lands to this State; specifying particularly the names of the persons in arrears, with the amount due from each, when due, and whether due upon purchase or lease; *also,* to report what amount of saline lands now belong to the State; where said lands are situated; and whether, in his opinion, it would or would not advance the interests of the State to sell all of said saline lands.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the message last received from the House, containing a resolution relative to the election of Attorney General, &c., was then taken up.

Mr. Waters moved to amend the resolution, by striking out the word "seven," and insert "two;" which was not agreed to.

Mr. Thompson moved to amend the resolution by adding the following, to wit:

"And also for the purpose of electing three justices of the Supreme Court, to fill the vacancies occasioned by the resignation of the Hon. Thomas Ford, Hon. Sidney Breese, and Hon. T. W. Smith."

Mr. Dougherty moved that the amendment be laid on the table; which was decided in the affirmative by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Crain, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Henry, Houston, Johnson, Killpatrick, Leviston, McMurtry, Parker, Ryan, Siocumb, Smith, Stapp, Vandeventer, Waters, and Worthington—24.

Those who voted in the negative, are,

Messrs. Cavarly, Harrison, Hoard, James, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Ruggles, Thompson, Warren, Willbanks, and Wynne—15.

The question was then taken on the adoption of the resolution and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Parrish offered for adoption the following resolution, to wit:

Resolved, That the committee on Salines and Saline Lands be instructed to inquire into the utility of appointing an agent of the Gallatin alines, in the place of the Hon. Wm. J. Gatewood, deceased, and that they report by bill or otherwise."

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and the resolution was now acted upon.

The question was then taken on the passage of the resolution and decided in the affirmative.

Mr. Ralston offered for adoption the following resolution; which, under the rule, lies one day on the table.

Resolved, That the State Bank of Illinois be requested to inform the Senate, whether or not the said bank advanced or furnished to the Mineral Point Bank, or to any one for her use, any specie, and if any how much; and at what time; also that the State Bank make known to the Senate, the amount of specie on hand at the branch at Galena on the 7th of February last, and the amount on hand on the 1st of December, 1842.

On motion of Mr. Baker,

The bill from the House of Representatives for "An act to diminish the State debt, and put the State Bank into liquidation," was referred to the committee of the whole Senate, and made the special order of the day, for each day, after 2 o'clock, P. M.

Mr. McMurtry offered for adoption the following resolution, to wit:

Resolved by the Senate, the House of Representatives concurring herein, That both Houses of the General Assembly will meet in the Hall of the House of Representatives, on Saturday the 14th inst., at 2 o'clock, P. M., for the purpose of electing three Justices of the Supreme Court, to fill the vacancies occasioned by the resignation of the Hon. T. W. Smith, T. Ford, and S. Breese.

On motion of Mr. McMurtry,

The rule of the Senate was dispensed with, in order that the resolution might be acted on now.

Mr. Hoard moved to amend by striking out the word "two" and insert "seven."

Mr. Dougherty moved that the resolution and amendment be laid on the table; which was decided in the negative by the following vote, to wit:

Those voting in the affirmative, are,

Messrs. Baker, Barnett, Cullom, Davidson, Dougherty, Fithian, Harrison, Henry, Johnson, Killpatrick, Parker, Smith, Stepp, Waters, and Worthington—15.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Crain, Feaman, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parrish, Ralston, Ruggles, Ryan, Slocumb, Thompson, Vandeverter, Warren, Willbanks, and Wynne—23.

The question was then taken on the amendment proposed by Mr. Hoard; which was to strike out the word "two" and insert "seven," and decided in the negative.

On motion of Mr. Ryan,

The resolution was amended by adding the following, to wit:

"Also an Auditor of Public Accounts and State Treasurer."

The question was then taken on the adoption of the resolution, as amended, and decided in the affirmative by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Feaman, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeverter, Warren, Willbanks, and Wynne—26.

Those who voted in the negative, are,
Messrs. Baker, Cullom, Davidson, Dougherty, Fithian, Harrison, Henry, Johnson, Killpatrick, Parker, Stapp, Waters, and Worthington—13.

Ordered, That the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Mr. Vandeventer offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That no new business be received after the 20th instant.

Mr. Nunnally, on leave, introduced a bill for "An act to amend an act, entitled 'An act relative to criminal jurisprudence, approved February 26, 1833;'" which was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule was dispensed with, and said bill read a second time by its title, and

Referred to the committee on the Judiciary.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Vandeventer offered the following resolution, which was adopted, the rule having been, on his motion, dispensed with:

Resolved, That the use of the Senate Chamber be allowed, on Tuesday evening of each week, if required, to the members of the State Agricultural Society, for the purpose of holding their meetings therein; *Provided*, that said meetings shall not interfere with the business of the Senate, or its committees.

On motion of Mr. Parker,

The Senate resolved itself into a committee of the whole, Mr. Baker in the chair, to take into consideration the bill from the House of Representatives for "An act to diminish the State debt, and to put the State Bank into liquidation."

After some time spent therein, the committee rose, and by their chairman reported said bill back to the Senate, with sundry amendments, in which they asked the concurrence of the Senate.

The question was then taken on concurring with the committee of the whole in their amendment to the first section of said bill, and decided in the affirmative.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 11, 1843.

Senate met pursuant to adjournment.

Mr. Ryan presented the petition of H. L. Owens, concerning his title to a piece of canal land; the reading of which was,

On motion of Mr. Ryan,

Dispensed with, and referred to the committee on Canals and Canal Lands.

Mr. Barnett, from the committee on Counties, to which was referred a certain petition and remonstrance, also, a bill for "An act permanently to locate the county seat of Mason county," reported the same back, with an amendment to the bill.

The question was then taken on concurring with the committee in their amendment to the bill, and decided in the affirmative.

The bill, as amended, was ordered to be engrossed for a third reading.

Mr. Buford presented the petition of Francis Loomis and two hundred and eighteen others, voters of Henry county, praying for the removal of the seat of justice of said county; the reading of which was,

On motion of Mr. Buford,

Dispensed with, and referred to the committee on Counties.

Mr. Parker, from the committee on Public Roads, to which was referred a certain petition, reported a bill for "An act to vacate part of a State road in Peoria county;" which was read the first time, and

Ordered to a second reading.

Mr. Johnson, from the select committee, to which was referred a memorial of the citizens of Bond county, reported a bill for "An act regulating the salaries and fees of officers, and retrenching the expenses of the State;" which was read the first time, and,

Ordered to a second reading.

Mr. Johnson moved that the rule of the Senate be dispensed with, and that the bill be now read a second time by its title; which was not agreed to.

Mr. Johnson, from the same select committee, reported a bill for "An act to reduce the rate of taxes, and to release a part of the taxes due for the year 1842;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on Finance.

Mr. Johnson, from the same select committee, reported the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of regulating the charges of physicians by law, and that they have leave to report by bill or otherwise.

Mr. Leviston offered for adoption the following preamble and resolution, which, according to the rule, lie one day on the table.

Whereas, the title of the Government of the United States to the Territory of Oregon is indisputable, and the Government of Great Britain is only entitled to the joint occupancy thereof by the permission of the United States until notice shall be given for its termination: *And whereas*, Great Britain has taken exclusive possession of the choice parts of said Territory in direct violation of treaty, and with an utter disregard of the rights of the U. States: *And whereas*, the safety of the title of the United States to said Territory is greatly endangered by the concessions made in the late treaty relative to the boundary of Maine, by her rights to said Territory not then being persisted in and made a part of said treaty, and will be

more endangered by longer delay: *And whereas*, the Honorable Lewis F. Linn has introduced into the United States' Senate a bill providing for the settlement and protection of Oregon; therefore,

Resolved by the people of the State of Illinois, represented in the General Assembly, That our Senators in Congress be instructed, and our Representatives requested, to use their best efforts in the support of a bill lately introduced into the United States' Senate, "to authorize the adoption of measures for the occupation and settlement of the Territory of Oregon, for extending certain portions of the laws of the United States over the same, and for other purposes."

Resolved, That the Governor be requested to transmit a copy hereof to each of our Senators and Representatives in Congress.

Mr. Davis offered for adoption the following resolution, which, according to the rule lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to report a bill repealing all laws allowing fees to justices of the peace, and providing that said justices shall be paid for their services out of the treasury of the county in which they reside.

Mr. Crain introduced a bill for "An act to amend an act entitled 'An act for re-surveying the lower town of Carlyle, in Clinton county;'" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Wynne introduced a bill for "An act supplemental to 'An act for the sale of certain lots therein named,' approved February 26, 1841;" which was read the first time, and

Ordered to a second reading.

The resolution, offered some days since by Mr. Nunnally, relative to the extension of the jurisdiction of probate justices of the peace, was taken up and adopted.

The resolution, introduced some days since by Mr. Fithian, calling upon the Auditor of Public Accounts for certain information, was taken up and adopted.

The resolution, introduced some days since by Mr. Ralston, calling upon the State Bank of Illinois for certain information, was taken up and adopted.

The resolution, introduced some days since by Mr. Vandeventer, fixing upon the 20th instant as the day beyond which no new business shall be received, &c., was taken up, and,

On motion of Mr. McMurtry,

Laid on the table.

A bill for "An act to regulate interest at six per cent.," coming up for consideration;

Mr. Warren moved a call of the Senate, and after some time spent therein, the further call was dispensed with, on the motion of Mr. Smith.

The question pending was on referring the bill to the committee on School Lands and Education, with certain instructions.

Mr. Crain moved to amend the instructions, by striking out all, and inserting in lieu thereof the following, to wit:

"That the rate of interest in this State shall hereafter be six per cent. only in all cases, except for debts due by individuals to the townships, or school, college, and seminary fund, which rate of interest shall be regulated by the county commissioners' courts of the several counties in this State in their proper counties: *Provided, however,* they shall not in any case exceed the rate of eight per cent. per annum, and payable semi-annually in advance."

Mr. Hoard moved to amend that part of the instructions that relates to the school fund, by striking out the word "eight," and insert the word "ten," which was not agreed to.

Mr. Davidson moved to amend that part of the amendment which authorizes the county commissioners' court to regulate the amount of interest to be paid on the school fund, by striking it out; which was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Cullom, Davidson, Davis, Feaman, Fithian, Harris, Harrison, Henry, Hoard, James, Killpatrick, Leviston, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Willbanks, Worthington and Wynne—32.

Those who voted in the negative, are,

Messrs. Barnett, Crain, Dougherty, Houston, Johnson, Markley, Matteson, Warren, and Waters—9.

Mr. Vandeventer moved to amend the amendment, by adding the following, to wit:

"Except for money actually loaned by individuals, the rate of interest may be ten per cent."

The question was then taken on the proposed amendment to the amendment, and decided in the negative.

Mr. Hoard moved to amend the amendment, by striking out the word "eight," and insert "twelve."

Mr. Davis moved that the instructions, and proposed amendments thereto, be laid on the table; which was not agreed to.

Mr. Harris called for a division of the question, so as first to take the vote on striking out.

The question was then taken on striking out, and decided in the negative, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Davis, Feaman, Fithian, Harrison, Hoard, James, Johnson, Leviston, Markley, Minard, Parker, Ralston, Ryan, Slocumb, Smith, Thompson, Vandeventer, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Dougherty, Harris, Henry, Houston, Killpatrick, Matteson, McMurtry, Nunnally, Parrish, Ruggles, Stapp, Warren, Waters, Worthington and Wynne—22.

The question was then taken on the adoption of the amendment proposed by Mr. Crain, and decided in the affirmative.

The question was then taken on referring the bill, with instructions, to the committee on School Lands and Education; which was decided in the affirmative.

The bill for "An act to repeal 'An act regulating interest on money,'" now before the Senate, was,

On motion of Mr. Davidson,

Laid on the table.

Mr. Dougherty, on leave, introduced a bill for "An act for the relief of E. Willard;" which was read the first time, and

Ordered to a second reading, and,

On motion of Mr. Dougherty,

The rules were dispensed with, and said bill read a second time by its title, and referred to the committee on Finance.

Mr. Stapp moved that the Senate adjourn; which was not agreed to.

On motion of Mr. Johnson,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Baker,

The order of business was suspended, and the engrossed bill for "An act permanently to locate the county seat of Mason county," was taken up, and,

On the further motion of Mr. Baker,

The rules were dispensed with, and the bill read a third time by its title.

On motion of Mr. Barnett,

The first section of said bill was amended, by striking out the word "first," and inserting in lieu of it the word "second;" and,

On the question—"Shall the bill pass, as amended?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bill from the House of Representatives, for "An act to diminish the State debt, and put the State Bank into liquidation," as amended by the committee of the whole Senate, on yesterday, was taken up.

Mr. Baker moved the indefinite postponement of the amendment made by said committee to the second section of the bill, which amendment provided for the payment of interest on certificates issued by said bank; and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davidson, Davis, Feaman, Fithian, Harris, Harrison, Henry, Houston, Johnson, Killpatrick, Leviston, Parker, Parrish, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Warren, Waters, and Worthington—27.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Dougherty, Hoard, James, Markley, Matteson, McMurtry, Nunnally, Ralston, Vandeventer, and Willbanks—12.

The question was then taken upon concurring with the committee of the whole in its other amendment to the said second section, proposing to strike out the words "except fifteen thousand dollars," and decided in affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Feaman, Harris, Hoard, Houston, James, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—24.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Dougherty, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, Ruggles, Slocumb, Stapp, and Worthington—16.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the Senate in the passage of a bill for "An act permanently to locate the county seat of Mason county."

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed to lay before the Senate a communication from the Governor.

The question was then severally taken on concurring with the committee of the whole in its remaining amendments to the bill under consideration, and decided in the affirmative.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the Senate in the adoption of their resolution, fixing on 2 o'clock, P. M. of Saturday next, for the election of an Auditor of Public Accounts, Treasurer, and three Judges.

On motion of Mr. Hoard,

The bill under consideration was further amended, by adding at the end of the eighth section the following:

"In case any debtor of the bank shall obtain a certificate or certificates issued under the provisions of this act, and shall present the same to the officers of the bank, or the holders of any note given to the bank, for endorsement thereon, the amount of such certificate or certificates shall be endorsed on such note; and the endorsement shall bear interest at the same rate per cent. as was allowed upon the note upon which such endorsement was made."

On motion of Mr. Smith,

The eighth section of said bill was amended, as follows:

At the end of the first line insert the words "due at the passage of this act;" at the end of the third line of the same section, insert the words "but in no case shall the bank hereafter demand or receive a greater interest than six per cent. per annum on any debts due the bank by citizens of this State;" and strike out the proviso of the same section in the fourth and fifth lines thereof.

On motion of Mr. Ralston,

Ordered, That the vote taken upon that part of the amendment offered

by Mr. Smith, by which certain words were inserted at the end of the third line of the eighth section, be re-considered; when,

On motion of Mr. Ralston,

The same was amended, by striking out the words "by the citizens of this State."

The question was then taken upon the adoption of that part of the amendment, as amended, and decided in the affirmative.

Mr. Crain offered the following amendment, to be added at the end of the first section:

"And the said board of directors shall appoint two bank agents, on their part, whose duty it shall be to transact and manage the affairs of the bank in the collection of the debts due to, and the payment of the debts due from it, the sale of the real estate, renewal of notes, taking of mortgages, and making conveyances, and all other matters and things that may be necessary in liquidating and finally settling up the affairs of said institution, according to law and the provisions of this act. Said bank agents appointed by the bank may be removed at any time by a majority of the private stockholders in interest, and others appointed by them, in like manner. After the election of said bank agents, the board of directors and all other officers shall cease;" which amendment was,

On motion of Mr. Killpatrick,

Laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, McMurtry, Parker, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Waters, and Worthington—24.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Harris, Hoard, Houston, James, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Warren, Willbanks, and Wynne—17.

Mr. Catlin moved an amendment to said bill, to be added to the end of the second section, which is as follows:

"And it is further provided, that every six months after the first dividend and distribution herein provided for, the said bank, or the receivers thereof hereinafter provided for, shall take an account of the liabilities as aforesaid, and pay out *pro rata* as aforesaid, the amount of specie that may be on hand to the holders of said certificates of said bank, the indebtedness to stockholders on account thereof excepted."

On motion,

The Senate adjourned.

THURSDAY, JANUARY 12, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, to wit:

A bill for "An act for the relief of Thomas Cox."

A bill for "An act to change part of a turnpike road in Hancock county;"

A bill for "An act to amend 'An act in relation to garnishees,' approved February 12, 1839; and, also, to amend 'An act concerning attachments,' approved February 12, 1833;" also to amend 'An act to regulate proceedings by attachments before justices of the peace, passed February 27, 1837;"

"A bill organizing a school district in the county of Iroquois;"

"An act to amend 'An act to regulate proceedings by attachment before justices of the peace,' approved February 27, 1837;"

A bill for "An act to amend 'An act relative to wills and testaments executors and administrators, and the settlement of estates,' approved January 23, 1829;"

A bill for "An act to vacate the alleys in William H. Reed's, Thomas W. Lilly's, and William Elliott's additions to the town of Olney, in Richland county;"

A bill for "An act to prohibit the reception of depreciated paper in payment of public dues;"

A bill for "An act to exempt the Shiloh Meeting House tract from taxation;"

A bill for "An act to re-locate a part of the State road from Benton, in Franklin county, to Equality, in Gallatin county;"

A bill for "An act to amend an act entitled 'An act to incorporate the Rock River Seminary, in Ogle county, Illinois;"

"An act authorizing Benjamin Vermilion to erect a mill-dam across Racoon creek, in Clay county;"

A bill for "An act authorizing an additional justice of the peace and constable in Middletown precinct, in McDonough county;"

A bill for "An act to amend 'An act to provide for the establishment of ferries, toll bridges, and turnpike roads,' approved February 12, 1827;"

A bill for "An act to authorize Elijah D. Ewing to convey real estate;"

A bill for "An act to change the name of the town of Saratoga, in the county of Union;"

"A bill organizing a school district in Vermilion county, and authorizing the sale of school lands therein."

A bill for "An act to legalize defective returns of school directors and treasurers of townships in the counties therein named;"

A bill for "An act in relation to a poor house in Jersey county;"

A bill for "An act to amend the several laws in relation to the trial of the right of property before justices of the peace;"

A bill for "An act regulating the manner of selecting juries in certain cases;"

"An act for the relief of the collector of McLean county;"

A bill for "An act to extend the jurisdiction of county commissioners' courts, and for other purposes;"

A bill for "An act to locate a State road in Hancock county;" and

A bill for "An act to authorize the erection of a bridge across Rock river."

In the passage of which bills they ask the concurrence of the Senate.

The Speaker laid before the Senate a communication from the Governor, relative to the contingent expenses of the State; which was read.

Mr. Parish moved that the communication be laid on the table, and printed for the use of the Senate.

Mr. McMurtry moved the reference of the communication to the committee on Finance.

The question was then taken on laying the communication on the table, and having it printed for the use of the Senate, and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Crain, Cullom, Davis, Feaman, Harris, Henry, Hoard, Houston, Johnson, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Ruggles, Ryan, Vandeventer, Worthington, and Wynne—22.

Those who voted in the negative, are,

Messrs. Catlin, Davidson, Fithian, Harrison, James, Killpatrick, McMurtry, Ralston, Slocumb, Smith, Stapp, Warren, Waters, and Willbanks—14.

Mr. Ryan presented the petition of the citizens of Peru, concerning the re-survey of their town, and the recording of their town plat; the reading of which was,

On motion of Mr. Ryan,

Dispensed with, and referred to the committee on Incorporations.

Mr. Fithian offered for adoption the following resolution, which lies on the table one day:

Resolved, That the Treasurer of the State be requested to report to the Senate, whether or not he has appointed one or more agents to take charge of, and dispose of all or any part of the property of the State, on all or any of the railroad lines in the State; and if so, the name or names of such agent or agents, with their salary or salaries, together with the amount of property sold by said agent or agents; the cost to the State of the said property so sold; for what price sold; to whom sold; and whether sold at public or private sale; whether disposed of by an agent in person, or by a sub-agent; and, if by a sub-agent, the name of such sub-agent; by what authority such sub-agent was appointed; the kind of pay received for such property, and from whom received. And whether such agent or agents, sub-agent or sub-agents, are now under pay of the State—as also the full amount of salary already paid to agents and sub-agents.

Mr. James presented the following memorial and resolutions, which, according to the rules, lie one day on the table:

To the Honorable the Senate and House of Representatives of the the United States of America, in Congress assembled:

Your memorialists, the General Assembly of the State of Illinois, would respectfully represent to your honorable body, that the free and unobstructed navigation of the river Mississippi, not only along the western border of our naturally rich and luxuriant State; (more than six hundred miles in extent,) but from the Falls of St. Anthony to New Orleans and the Gulf, is a consideration which lies at the very foundation of western enterprise and prosperity, to say nothing of the vast and multifarious benefit to the whole Union arising therefrom; since our great river is the national channel through which the agricultural and other products of the vast country of which it is the drain, must find a market. While those products are annually increasing to an extent almost to defy belief, the dangers of naviga-

seem to increase in a corresponding ratio. The immense losses of property, as well as of human life, upon this great highway for our commerce, have become a subject of deep and abiding interest to all classes in the west. The mighty wrecks, the vast quantities of scattered and decaying property, the dreadful manifestations of consequent distress, which so frequently present themselves to the eye of the traveller along the Mississippi—particularly between the mouth of the Ohio and the city of St. Louis—are startling in their character, and call aloud to the philanthropist and statesman to use his exertions to prevent a recurrence of similar calamities.

Your memorialists have not at hand any certain data by which to ascertain the loss of human life and of valuable property, by reason of snags, rapids, and other obstructions, which mechanical power, properly applied, can remove; but do not hesitate to say, that many hundred lives and more than a million of dollars of property, with which steam boats are freighted, have been lost and destroyed within the last year alone. No power, competent to the removal of the evil, can your memorialists apply, but to your honorable body. No means are within the control of any of the States, watered by the Mississippi, sufficient for the undertaking. And your memorialists are assured, that in the just exercise of those powers delegated to you by the constitution, the grievances of which they complain can be wholly removed. To this end, your memorialists would respectfully suggest the propriety of organizing, at once, an efficient corps, skilled in operations of the kind, to be in service at all seasons when it is practicable to work; and would earnestly pray your honorable body, in tender consideration of the premises, to make appropriations commensurate with the magnitude and importance of the work, and continue them annually until the great object is completed.

Your memorialists fully believe that, if such a corps be organized, and the appropriations made, the obstructions will be removed in a few years, and our citizens relieved from those great losses of property to which they have been so long exposed; diminishing as they have, so enormously, the profits of their labor and skill.

Whilst liberal appropriations are made, for similar purposes, to other portions of the Union, and of which we do not complain, your memorialists believe a just regard to the great, diversified, and important interests of the valley of the Mississippi, will prompt your honorable body to adopt at the earliest possible moment, the most efficient measures to accomplish the object set forth in this memorial, and, by so doing, advance the interests of a people whose great dependence is upon the safe navigation of their great and majestic river; and at the same time render that vast outflow of the western world what nature intended it to be—a source of State pride and prosperity. And your memorialists, as in duty bound, will ever pray, &c.

Resolved by the General Assembly of the State of Illinois, That our Senators in Congress be instructed to present the foregoing memorial to the Congress of the United States, and that those Senators be further instructed, and our Representatives requested, to use their best endeavors to procure the passage of a law having for its object the removal of the obstructions in said memorial mentioned.

Resolved, That the Governor be requested to transmit a copy of the foregoing memorial and resolution to each of our Senators and Representatives in Congress.

On motion of Mr. Parrish,

The following order was adopted, to wit:

Ordered by the Senate, That the Secretary of the Senate furnish the committee on Finance with a copy of the message last received from Governor for their immediate action.

Mr. Stapp offered for adoption the following resolution, to wit:

Resolved, That the committee on Retrenchment be instructed to inquire into the expediency and necessity of changing the mode of printing reports and public documents, other than bills, so that they may be printed in the two newspapers published in the city of Springfield, and thereby give more extensive circulation with the people, and diminish the cost of printing such reports and documents; which, under the rule, lies one day on the table.

Mr. Cram offered for adoption the following resolution, which, according to the rule, lies one day on the table:

Resolved, That the President of the State Bank forthwith inform the Senate whether the State bonds held by the bank are all the evidence in possession of the bank of the liabilities of the State as a stockholder, and whether the Fund Commissioners have not subscribed for two millions of stock in said bank, according to the provisions of the fifth section of the act approved 4th March, 1837, and whether the Governor has not subscribed for \$100,000 of the stock in said bank, according to the act approved 2d March, 1837; and if so, that he transmit copies of said subscriptions to the Senate forthwith.

Mr. Ralston introduced a bill for an act entitled "An act for the protection of married women;" which was read the first time.

Mr. McMurtry moved to lay the bill on the table; which was not agreed to.

The question was then taken on ordering the bill to a second reading and decided in the affirmative.

The resolution, offered some days since by Mr. Davis, relative to the paying of justices' fees out of the county treasury of the county in which they reside, was taken up, and adopted.

The resolution, reported by Mr. Johnson from a select committee, relative to the charges of physicians, was taken up and rejected.

The preamble and resolutions offered by Mr. Leviston, relative to the Oregon Territory, and instructing our Senators and Representatives in Congress to support a bill lately introduced into the Senate of the United States, for the occupancy of said Territory, was taken up and adopted.

The bill from the House of Representatives for "An act to diminish the State debt, and put the State Bank into liquidation," coming up for consideration, and the question pending at the last adjournment, being upon the adoption of an amendment to the second section of said bill, proposed by Mr. Outlin,

On motion of Mr. Smith,

That amendment was amended, by striking out the word "six," and inserting the word "twelve" instead of it.

Mr. Baker moved further to amend said amendment, by striking out after the word "provided," and inserting the following:

"That whenever the bank shall have ——— per cent. in specie, on

standing liabilities, on hand, it shall give reasonable notice, and pay the same to its bill or certificate holders, *pro rata*," which was,

On motion of Mr. Cavarly,

Laid on the table.

Mr. Cavarly moved to amend the amendment proposed by Mr. Catlin, adding at the end of the same the words "which said dividend shall not used or appropriated by said bank to any other use or purpose whatever."

Mr. Fithian moved to lay on the table the amendment proposed by Mr. Cavarly to the amendment; which was agreed to.

Mr. Fithian moved to amend the amendment, by adding thereto the words:

"*Provided*, the amount of specie on hand shall, at that time, amount to one and a half per cent. on the then liabilities of said bank."

Mr. Ralston moved to lay the amendment proposed by Mr. Fithian on the table; and the question being taken thereon,

It was decided in the negative, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Feaman, Hoard, Houston, James, Leppa, Markley, Minard, Nunnally, Parrish, Ralston, Ryan, Vandeventer, Warren, Willbanks, and Wynne—18.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Dougherty, Fithian, Harris, Henry, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Slocomb, Smith, Stapp, Waters, and Worthington—19.

Mr. Ralston moved a call of the Senate; which proceeded for a short time, and was then, on motion of Mr. Stapp, dispensed with.

A message from the House of Representatives, by Mr. Ewing, their clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolutions, to wit:

Resolved by the House of Representatives, the Senate concurring herein, that no act of the present General Assembly, of a private character, shall be published in the volume of the acts; but the Secretary of State shall, as soon practicable, forward to the clerk of the county commissioners' courts of proper county, a certified copy of each of said private acts, to be filed by him in his office.

Resolved by the House of Representatives, the Senate concurring herein, that the Senate will meet the House in the Hall of the House of Representatives, on Saturday, the 14th day of January, at 7 o'clock, P. M., and select one State's Attorney for each judicial circuit, except the eighth circuit.

In which they ask the concurrence of the Senate.

The question recurring upon the motion of Mr. Fithian, to amend the amendment proposed by Mr. Catlin, the same was put, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Fithian, Henry, Johnson, Killpatrick, McMurtry, Ruggles, Slocomb, Smith, Stapp, Waters, and Worthington—16.

Those who voted in the negative, are,
Messrs. Catlin, Cavarly, Crain, Davis, Dougherty, Feaman, Har
Hoard, Houston, James, Leviston. Markley, Matteson, Minard, N
nally, Parker, Parrish, Ralston, Ryan, Vandeventer, Warren, Willbar
and Wynne—23.

On motion of Mr. Hoard,

The amendment offered by Mr. Catlin was amended, by adding ther
the following:

"And provided further, that the bank shall not, directly or indirect
through its officers, agents, or otherwise, purchase any of the certifica
issued under the provisions of this act;" and,

On motion of Mr. Cavarly,

Was further amended, by striking out the words "holders of said c
tificates," and substituting in their stead the words "bill and certific
holders."

The question was then taken on adopting the amendment offered
Mr. Catlin, as amended, and decided in the affirmative.

Mr. Catlin moved to amend the fifth section, in the fifteenth line there
by inserting after the words "that it," the words "has violated or."

Mr. Baker moved to refer the bill and amendments made and propos
thereto, to a select committee of five.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant adjournment.

A message from the House of Representatives, by Mr. Ewing, the
Clerk:

Mr. Speaker: I am directed by the House of Representatives to info
the Senate, that they have concurred with them in their resolution, ha
ing for its object the preparation and fitting up of a room in the Sta
House, to be used as a State Treasury.

Mr. Baker moved a call of the Senate; which progressed.

Pending the question on the reference to a select committee of five,
the bill from the House of Representatives for "An act to diminish
State debt, and to put the State Bank into liquidation,"

Mr. Crain, from the committee on Enrolled Bills, reported
correctly enrolled and laid before the Council of Revision for their
proval, a bill for "An act permanently to locate the county seat of Mas
county."

On motion of Mr. Vandeventer,

The further call of the Senate was dispensed with.

Mr. Baker withdrew his motion to refer the bill under considerati
and amendments, to a select committee of five.

Mr. Catlin withdrew the amendment last proposed by him.

Mr. Warren moved to amend the bill, by striking out all after
enacting clause, and inserting all after the enacting clause of the Sen
bill for "An act to appoint bank commissioners, and defining their dutie

Mr. Worthington called for a division of the question, so that
vote might be first taken on striking out.

Mr. Warren withdrew his motion to amend.

Mr. Davis moved to lay the bill, and amendments made thereto by the Senate, on the table until the 4th of July next; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Davidson, Davis, Henry, and Ralston—5.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cavarly, Crain, Cullom, Dougherty, Feaman, Fithian, Harris, Harrison, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ruggles, Ryan, Slocumb, Smith, Stapp, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—34.

Mr. Baker moved the previous question; and,

On the question—"Shall the main question be now put?"

It was decided in the negative, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Dougherty, Fithian, Harrison, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Ryan, Slocumb, Smith, and Worthington—17.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Crain, Feaman, Harris, Henry, Hoard, Houston, James, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Stapp, Vandeventer, Warren, Waters, Willbanks, and Wynne—22.

Mr. Cavarly moved to amend the bill in the second line of the second section, by striking out the word "thirty," and inserting the word "twenty" instead thereof.

Mr. Davis moved to lay the amendment proposed by Mr. Cavarly on the table; which was not agreed to.

Mr. Catlin called for a division of the question pending, so as to vote first on striking out the word "thirty."

The question was then taken upon striking out, as proposed by Mr. Cavarly, and decided in the negative.

Mr. Davis moved to amend the seventh section, and first three lines, by striking out as for as, and including the words, "Secretary of State;" which was not agreed to.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have adopted a preamble and resolutions, praying Congress to pass a law admitting the article of foreign salt duty free into the United States.

In the adoption of which they ask the concurrence of the Senate.

Mr. Parrish moved to amend the third section, by striking out the words "any forfeiture heretofore incurred to the contrary notwithstanding."

And the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Davis, Feaman, Fithian, Harris, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nun-

nally, Parker, Parrish, Ralston, Stapp, Vandeventer, Warren, Willbanks, and Wynne—24.

Those who voted in the negative, are,

Messrs. Buford, Cullom, Davidson, Dougherty, Harrison, Henry, Johnson, Killpatrick, Ruggles, Ryan, Slocumb, Smith, Waters, and Worthington—14.

Mr. Wynne moved to amend the bill by adopting the following as an additional section:

"SEC. 15. This act shall not be so construed as to prevent the holders of the certificates herein authorized to be issued, from recovering from the said bank the full amount of such certificate or certificates, in his or their hands, by action of debt or assumpsit;" when

Mr. Davidson moved to lay the same on the table; and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Cullom, Davidson, Davis, Dougherty, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Matteson, Parker, Ruggles, Ryan, Slocumb, Smith, Vandeventer, Warren, Waters, and Worthington—22.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Feaman, Fithian, Harris, James, Leviston, Markley, McMurtry, Minard, Nunnally, Parrish, Ralston, Stapp, Willbanks, and Wynne—16.

Mr. Ralston moved to amend the thirteenth section, by striking out the words "destroyed in the presence of the General Assembly," and inserting in lieu of them the following:

"Cancelled in the presence of the Governor and such committee of the Legislature as shall be for that purpose appointed; whereupon, the same shall be cancelled by writing across the face thereof as follows: 'CANCELLED BY ORDER OF THE GENERAL ASSEMBLY, on this — day of — 1843;' and thereafter, the same shall be filed, and safely preserved in the office of the Secretary of State;" which was,

On motion of Mr. Dougherty,

Laid on the table.

Mr. Hoard moved to amend the tenth section of the bill, by adding the following, to wit:

"And at the expiration of which time the said bank shall surrender to the Governor of the State, an amount of bonds or other State indebtedness equal to the amount of stock authorized to be retained by said bank; and when the same shall be so surrendered, it shall then be the duty of the Governor to surrender said fifty thousand dollars to said bank. In winding up and settling the affairs of the bank, a strict and accurate account of its profits and losses shall be kept, and whenever a full and fair settlement of its accounts shall be effected, the president shall exhibit to the Auditor of Public Accounts a just and true statement of such profit and loss account, verified by oath; and if any dividend shall, by such statement, appear due to the stockholders of the bank, the president of the bank shall cause to be paid into the State Treasury of this State such amount as would be due to the State, according to the amount of stock which the State now holds in that institution."

Mr. Baker called for a division of the question, so as first to take the vote on the first branch of the amendment.

The question was then taken on agreeing to the first branch of the amendment, and decided in the affirmative.

The question was then taken on agreeing to the last branch of the amendment, and decided in the affirmative.

Mr. Cavarly moved to amend the bill, by adding the following as an additional section, to wit:

"Sec. —. The certificates to be granted under the provisions of this act, shall be in the following form, and signed by the president and cashier, to wit: 'State Bank of Illinois hereby certifies that said bank is indebted to _____ in the sum of _____ dollars and _____ cents, which she promises to pay the holder thereof on demand;'" which amendment was agreed to by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Davis, Dougherty, Feaman, Fithian, Harris, Harrison, Hoard, Houston, James, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Stapp, Vandeventer, Warren, Waters, Willbanks, and Wynne—32.

Those who voted in the negative, are,

Messrs. Buford, Cullom, Henry, Killpatrick, Smith, and Worthington—6.

The question was then taken on ordering the bill to a third reading, and decided in the affirmative, by the following vote, to wit:

Those voting in the affirmative, are,

Messrs. Baker, Buford, Cavarly, Cullom, Davidson, Dougherty, Feaman, Fithian, Harris, Harrison, Hoard, Houston, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Ruggles, Slocumb, Smith, Stapp, Vandeventer, Waters, Worthington, and Wynne—29.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davis, Henry, James, Minard, Ralston, Warren, and Willbanks—9.

On motion,

The Senate adjourned to 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they are now ready to receive the Senate in the Hall of the House, to proceed to the election of Attorney General and Public Printer, in pursuance of a joint resolution.

Whereupon,

The Honorable the Senate, preceded by Mr. Speaker, repaired to the Representative Hall, and then both branches of the General Assembly pro-

ceeded, *viva voce*, to elect an Attorney General for the State of Illinois; when the vote stood thus:

For James A. McDougall,

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Dougherty, Feaman, Harris, Hoard, Houston, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Vandeventer, Warren, Willbanks, and Wynne, of the Senate, and

Messrs. Ames, Arnold, Bishop, Blair, Bradley, Brinkley, Busey, Cloud, Collins, Courtright, Davis of Williamson, Dennis, Dickinson, Dollins, Dougherty, Douglas, Epler, Ficklin, Flanders, Fowler, Gobble, Gregg, Green of Clay, Hatch, Hick, Hicks, Hinton, Horney, Hunsaker, Jackson of McHenry, Koerner, Kuykendall, Lawler, Loy, McBride, McClermand, McDonald of Calhoun, McDonald of Jo Daviess, McMillan, Madden, Manning, Marshall, Miller, Murphy, Nesbit, Norris, Owen, Penn, Scott, Shirley, Simms, Smith of Hancock, Spicer, Starne, Stewart, Tackerberry, Thompson, Turner, Vandever, Vinyard, West, Weatherford, Wheat, Whitcomb, White, Whitten Wilson, Woodworth, and Mr. Speaker, of the House of Representatives.

For Edwin B. Webb,

Messrs. Baker, Cullom, Davidson, Fithian, Harrison, Johnson, Killpatrick, Ruggles, Smith, Waters, and Worthington, of the Senate, and

Messrs. Adams, Aldrich, Andrus, Bailhache, Blakeman, Bone, Brown of Pike, Brown of Sangamon, Browning, Caldwell, Canady, Davis of Bond, Dubois, Ewing, Garrett, Graves, Harper, Hickman, Jackson of Whiteside, Jonas, Kendall, Langworthy, Lockard, Mitchell, Pickering, Pratt, Starr, and Yates, of the House of Representatives.

For Mr. Hicks—Mr. Hanson, of the House of Representatives.

For Mr. Wells—Mr. Smith of Crawford, of the House of Representatives.

Mr. McDougall having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected Attorney General for the State of Illinois.

The two Houses of the General Assembly then proceeded to the election of Public Printer; when the vote stood thus:

For Walters & Weber,

Messrs. Barnett, Catlin, Crain, Davis, Feaman, Harris, Hoard, Houston, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Vandeventer, Warren, Willbanks, and Wynne, of the Senate, and

Messrs. Ames, Arnold, Bishop, Blair, Bradley, Brinkley, Busey, Cloud, Collins, Courtright, Davis of Williamson, Dennis, Dickinson, Dollins, Dougherty, Douglas, Epler, Ficklin, Flanders, Fowler, Gobble, Gregg, Green of Clay, Hatch, Hick, Hicks, Hinton, Horney, Hunsaker, Jackson of McHenry, Koerner, Kuykendall, Lawler, Loy, McBride, McClermand, McDonald of Calhoun, McDonald of Jo Daviess, McMillan, Madden, Manning, Marshall, Miller, Murphy, Nesbit, Norris, Owen, Penn, Scott, Shirley, Simms, Smith of Hancock, Spicer, Starne, Stewart, Tackerberry, Thompson, Turner, Vandever, West, Weatherford, Wheat, Whitcomb, White, Whitten, Wilson, Woodworth, and Mr. Speaker, of the House of Representatives.

For Simeon Francis & Co.,

Messrs. Baker, Cullom, Fithian, Harrison, Johnson, Ruggles, Smith, Waters, and Worthington, of the Senate, and

Messrs. Adams, Aldrich, Andrus, Bailhache, Blakeman, Bone, Brown of Pike, Brown of San'n, Browning, Caldwell, Canady, Davis of Bond, Dubois, Ervin, Garrett, Graves, Harper, Hickman, Jackson of Whiteside, Jonas, Kendall, Langworthy, Lockard, Pickering, Starr, and Yates, of the House of Representatives.

For John B. Weber—Mr. Cavarly, of the Senate.

For Mr. Hodge—Mr. Davidson, of the Senate.

For Mr. Weber—Mr. Dougherty, of the Senate.

For Mr. Ruggles—Mr. Killpatrick, of the Senate, and Mr. Mitchell, of the House of Representatives.

For Mr. Zieber—Mr. Smith of Crawford, of the House of Representatives.

For Bishop & Linder—Mr. Hanson, of the House of Representatives.

Messrs. Walters & Weber having received a majority of all the votes given, were declared, by the Speaker of the House of Representatives, duly elected Public Printers for the State of Illinois.

Whereupon,

The Honorable the Senate returned to their Chamber, and,

On motion,

The Senate adjourned.

FRIDAY, JANUARY 13, 1843.

Senate met pursuant to adjournment.

Mr. Matteson presented the petition of the county commissioners of Kendall county, praying that La Salle and Kane counties be required to pay over their proportion of school money to Kendall county; the reading of which was,

On motion of Mr. Matteson,

Dispensed with, and referred to the committee on School Lands and Education.

Mr. Stocumb, from the committee on Salines and Saline Lands, to which was referred a resolution relative to the appointing an agent for the Gallatin salines, &c., reported the same back to the Senate, and asked to be discharged from the further consideration of the subject; which was agreed to.

On motion of Mr. Parrish,

The resolution was laid on the table.

Mr. Fithian introduced a bill for "An act for insuring the payment of a bounty on wolf scalps;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the same select committee to which was referred a bill on the same subject.

Mr. Davis on leave, introduced the "petition of sundry citizens of Hancock county, praying for the exemption of a certain lot of ground from taxation," the reading of which was,

On motion of Mr. Davis,

Dispensed with and referred to the committee on Finance.

The resolution, introduced on yesterday by Mr. Fithian, calling upon the Treasurer for certain information, was taken up and adopted.

The resolution, introduced on yesterday by Mr. Stapp, relative to the printing of reports and public documents, was taken up and adopted.

The resolution, introduced on yesterday by Mr. Crain, calling on the President of the State Bank for certain information, was taken up and adopted.

On motion of Mr. Davis,

The resolution, some days since laid on the table, relative to fees of justices of the peace, and requiring them to be paid out of the county treasury, &c., was taken up for consideration.

Mr. Davis moved to amend the resolution by adding,

"And providing also, that a docket fee of one dollar and twenty-five cents be allowed in each suit, to be collected as other costs and paid into the county treasury."

The question was then taken on the amendment proposed by Mr. Davis, and decided in the negative.

On motion of Mr. Harris,

The resolution was laid on the table until the 4th of July next.

On motion to Mr. Vandeventer,

The resolution, relative to the introduction of new business into the Legislature, and some days since laid on the table, was taken up for consideration.

On motion of Mr. Davis,

The resolution was laid on the table until the 4th of July next.

The following message was received from the House of Representatives by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the accompanying memorial to the Congress of the United States, praying that body to pass a law reducing the price of the public land.

In which they ask the concurrence of the Senate.

Senate bills of the following titles were severally read a third time and passed, to wit:

"A bill for an act to repeal the laws incorporating the town of Chester;"

"An act to amend an act, entitled 'An act to establish a ferry across the Illinois river, approved February 23, 1841;'"

"An act to vacate a State road therein named;"

"An act to change the name of the town of Florence, Ogle county, to that of Oregon;"

"An act to amend an act, entitled 'An act concerning the public revenue;'"

"An act granting a ferry to Thomas Eagan," and

"An act to amend an act, entitled 'An act for the re-survey of the town of Carlyle, in Clinton county.'"

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

"A bill for an act to legalize the survey of the town of Mt. Vernon," was read the third time, and,

On motion of Mr. Willbanks,
Was laid on the table.

On motion of Mr. Willbanks,
The engrossed bill for "An act to legalize the survey of the town of Mount Vernon," was taken from the table, and the blank therein, filled with the word "abuttals."

On the question—"Shall the bill pass as amended?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bills for "An act regulating the salaries and fees of officers and retrenching the expenses of the State," and for "An act for the relief of William M. Bell," were severally read a second time, the former by its title, on motion of Mr. Cavarly, and,

On motion,

Referred to the committee on Retrenchment,

Senate bills of the following titles:

A bill for "An act to enable the collector of Monroe county to collect the delinquent taxes of 1839;"

A bill for "An act to vacate a part of a State road in Peoria county;" and

A bill for "An act supplementary to 'An act for the sale of certain lots therein named,' approved February 26, 1841," were severally read a second time, and

Ordered to be engrossed and read a third time.

The bill for "An act for the relief of Francis Inman and others," was read a second time.

Mr. Parker moved to refer the same to the committee on Finance; which was not agreed to.

On the question—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harris, Henry, Hoard, Houston, James, Johnson, Levston, Markley, Matteson, Minard, Nunnally, Parker, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, Vandeventer, Warren, Waters, Willbanks, Worthington and Wynne—33.

Those who voted in the negative, are,

Messrs. Killpatrick, and McMurtry—2.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have refused to concur with the Senate in the passage of their bill for "An act relating to the recording or registering of conveyances, or other instruments in writing executed out of this State, and within the United States."

A Senate bill for "An act entitled 'An act for the protection of the property of married women,'" was read the second time.

Mr. Killpatrick moved the indefinite postponement of the bill.

Mr. Ralston moved to refer the bill to the committee on the Judiciary with instructions.

On motion of Mr. Cavarly,

The proposed instructions were laid on the table.

The question was then taken on referring the bill to the committee on the Judiciary, and decided in the affirmative.

A Senate bill for "An act to amend an act entitled "An act concerning the public revenue," was read the second time, and,

On motion of Mr. Stapp,

Referred to the committee on Finance.

A Senate bill for "An act to amend 'An act to incorporate the city of Nauvoo,' in force February 1, 1841," was read the second time, and,

On motion of Mr. Crain,

Was referred to a select committee.

Ordered, That Messrs. Crain, Davis and Parker be that committee.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill from the House of Representatives for "An act to diminish the State debt, and to put the State Bank into liquidation," as amended by the Senate, was read a third time.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate two communications.

Pending the question—"Shall the bill under consideration pass as amended?"

Mr. Catlin offered the following as an additional section to the bill:

"Sec—. Should there be any diminution of the specie, assets or available means of the bank from the account of December 1, 1842, reported to the House of Representatives, December 13, 1842, then and in that case the stock of the private stockholders shall be made liable;" when,

Mr. McMurtry moved to lay the same on the table; and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Cullom, Davidson, Davis, Dougherty, Fithian, Harris, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Slocumb, Smith, Stapp, Waters, and Worthington—20.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Feaman, James, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Ryan, Vandeventer, Warren, Willbanks, and Wynne—17.

Mr. Stapp moved the previous question, and,

And on the question—"Shall the main question be now put?"

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Cullom, Davidson, Dougherty, Feaman, Fithian, Harrison, Houston, Johnson, Killpatrick, McMurtry, Ruggles, Ryan, Slocumb, Smith, Stapp, Waters, and Worthington—17.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davis, Harris, Henry, Hoard, James, Leviston, Markley, Matteson, Minard, Nunnally, Parker, Parrish, Ralston, Vandeventer, Warren, Willbanks, and Wynne—20.

Mr. Ralston offered the following as an additional section to the bill:

"SEC— . If the commissioner hereby authorized to be appointed shall not find in the bank the amount of gold and silver reported by the bank to be on hand, to wit: \$491,958 22; and also, an account of the notes of other banks equal to \$23,117 90; then and in such case, it shall be the duty of the said commissioner to apply to a Judge of the Supreme for an injunction against said bank; and it shall be the duty of any Judge of the Supreme Court, on the application of the commissioner aforesaid, and upon it appearing to him by proper affidavits, that the bank has not the amount of specie and bank notes aforesaid on hand, to issue the same. If the injunction aforesaid shall be issued, then the effects of the said bank shall immediately pass into the hands of commissioners, to be disposed of according to the rules of equity, or according to such rules as the Legislature may hereafter prescribe."

Mr. Vandeventer moved to lay the bill and amendments on the table; which was not agreed to.

Mr. Stapp moved to lay the additional section, proposed by Mr. Ralston, on the table; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Cullom, Dougherty, Fithian, Harrison, Henry, Houston, Johnson, Killpatrick, McMurtry, Ruggles, Slocumb, Smith, Stapp, Waters, and Worthington—15.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davis, Feaman, Harris, Hoard, James, Leviston, Markley, Matteson, Minard, Nunnally, Parker, Parrish, Ralston, Vandeventer, Warren, Willbanks, and Wynne—20.

Mr. Cavarly moved to strike out the additional section, offered by Mr. Ralston, and insert in lieu of it, the following:

"SEC— . The time specified in the second section of this act, limiting the time when said bank shall pay out the specie at the counter of the principal bank at Springfield, is hereby restricted to the first Wednesday in February, 1843; and said bank shall proceed to pay out to her bill holders and depositors, the sum of \$490,500 in silver or gold, on the said first Wednesday in February, 1843, any thing contained in the second section of said act to the contrary notwithstanding; and any failure to comply with the provisions of this section shall be a sufficient cause to authorize the commissioner on the part of the State to apply for, and obtain an injunction against said bank, as provided for in the fifth section of this act."

Mr. Stapp moved a call of the Senate; which progressed for a short time, and was, on motion of Mr. Hoard, dispensed with.

On motion,

The Senate adjourned.

SATURDAY, JANUARY 14, 1843.

Senate met pursuant to adjournment.

Mr. Ralston presented the petition of the faculty and trustees of McKendree college, praying that a part of the interest on the college fund be set apart for their benefit; which was read, and,

On motion of Mr. Ralston,

Referred to the committee on School Lands and Education.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act to provide for the impartial selection of petit jurors by the county commissioners' courts," reported the same back to the Senate, and recommended its rejection.

On motion of Mr. Crain,

Said bill was laid on the table until the 4th of July next, by the following vote:

Those voting in the affirmative, are,

Messrs. Buford, Catlin, Crain, Davis, Dougherty, Feaman, Fithian, Harris, Houston, James, Killpatrick, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Vandeventer, Waters, and Wynne—23.

Those voting in the negative, are,

Messrs. Cavarly, Cullom, Davidson, Harrison, Henry, Hoard, Johnson, Leviston, Ruggles, Ryan, Smith, Stapp, Warren, Willbanks, and Worthington—15.

Mr. Davis offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to report a bill repealing all laws requiring special bail on *capias*, and providing that the bail in all cases be liable for the payment of whatever judgment may be rendered against such defendant in case the defendant fails to pay the same.

Mr. Cullom offered for adoption the following preamble and resolution, which lie one day on the table:

Whereas, the Treasurer has heretofore been required to keep all moneys coming into his hands belonging to the State in the bank; *And whereas*, by a resolution of the Senate, the Treasurer is authorized to keep the money of the State in some other place; therefore,

Resolved by the Senate, That the committee on the Judiciary be required to examine into the subject, and determine whether or not such change will have the effect, in the event of the loss of the money, to release the securities of said Treasurer; and report to this Senate the facts in the case.

Mr. Willbanks, on leave, introduced a bill for "An act to relieve the Mount Vernon Academy;" which was read, and

Ordered to a second reading.

The bill from the House of Representatives for "An act to diminish the State debt, and to put the State Bank into liquidation," coming up for consideration, and the question pending, when the bill was last before the Senate, being upon the adoption of the amendment offered by Mr. Cavarly to the additional section proposed by Mr. Ralston,

Mr. McMurtry moved a call of the Senate; which proceeded.

Mr. Davidson moved that during the pendency of the call, the resolution from the House of Representatives, in relation to the election of State's Attorneys, be taken up and acted upon; which was agreed to.

On motion of Mr. Davidson,

Said resolution was amended by striking out "seven" and inserting "three," and,

On motion of McMurtry,

Said resolution was further amended by inserting before the words "excepted eighth," the "second, fourth, sixth, and seventh."

The resolution, as amended, was then adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments of the Senate.

On motion of Mr. Ralston,

Further proceedings under the call of the Senate were dispensed.

Pending the question upon the adoption of the amendment to the proposed additional section above referred to,

A message from the House of Representatives, by Mr. Ewing, their Clerk, was received:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with them in their amendments to the resolution of the House, relative to the election of State's Attorneys.

Mr. McMurtry moved to lay the amendment, and the additional section under consideration, on the table.

Mr. Stapp moved a call of the Senate, which proceeded for a short time, and then,

On motion of Mr. Parker,

Was dispensed with.

The question was then taken on the motion of Mr. McMurtry, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Cullom, Davidson, Davis, Dougherty, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Matteson, McMurtry, Minard, Ruggles, Ryan, Slocumb, Slocumb, Smith, Stapp, Vandeventer, Waters, and Worthington—22.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Feaman, Harris, James, Leviston, Markley, Nunnally, Parker, Parrish, Ralston, Warren, Willbanks, and Wynne—15.

Mr. Cavarly moved to lay the bill on the table; which was not agreed to.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the adoption of the Senate's preamble and resolution, empowering the Governor to appoint a committee to investigate the accounts of the State Bank of Illinois with the State of Illinois, and ascertain the amount of indebtedness of the former to the latter, &c.

On motion of Mr. Hoard,

The order of business was suspended.

Mr. Speaker laid before the Senate a communication from the presi-

dent of the State Bank of Illinois, made in compliance with a resolution of the Senate to obtain information as to the Mineral Point Bank, and the branch State Bank at Galena; which was read, and,

On the motion of Mr. Davidson,

Laid on the table.

On motion,

The Senate resumed the consideration of the bill for "An act to diminish the State debt, and to put the State Bank into liquidation;" and

On the question—"Shall the bill pass as amended?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Cullom, Davidson, Dougherty, Feaman, Fithian, Harris, Harrison, Hoard, Houston, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Parker, Ruggles, Ryan, Slocumb, Smith, Stapp, Vandeventer, and Worthington—25.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davis, Henry, James, Minard, Nunnally, Parrish, Ralston, Warren, Waters, Willbanks, and Wynne—13.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendments.

Mr. Speaker laid before the Senate the following communications; which were read, and on motion of Mr. Davidson, acted upon with open doors:

EXECUTIVE DEPARTMENT,
Springfield, Jan. 13, 1843.

The Hon. the Senate:

I nominate De Grass Salisbury, to be a notary public for the county of Bureau, in place of John H. Bryant resigned.

THOMAS FORD.

EXECUTIVE DEPARTMENT,
Springfield, January 13, 1843.

To the Honorable the Senate:

I nominate Henry W. Moore, of Gallatin county, to be commissioner of the Gallatin county Saline, in pursuance of the first and sixth sections of "An act to amend an act, entitled 'An act relating to the Gallatin salines, and the lands belong to the same.'"

THOMAS FORD.

Mr. Cavarly moved that the Senate do now advise to the above nominations; which was agreed to.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the Senate in the passage of certain preambles and resolutions relative to the occupancy of the Territory of Oregon; condemnatory of a protective tariff; against direct tax-

tion; in favor of the re-establishment of the independent treasury, and against the Bank of the United States; also, to inform the Senate that the House is now ready to receive them in the Hall of the House to proceed to the election of an Auditor of Public Accounts, a State Treasurer, three Associate Justices of the Supreme Court, and four State's Attorneys, in pursuance of joint resolutions of the two Houses.

Whereupon,

The Senate, preceded by their Speaker, repaired to the Hall of the House of Representatives, and the two Houses proceeded to the election of an Auditor of Public Accounts; when the vote stood thus:

For James Shields, 104.

For Levi Davis, 44.

Those who voted for James Shields, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Dougherty, Feaman, Harris, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Vandeventer, Warren, Willbanks, and Wynne, of the Senate, and

Messrs. Ames, Anderson, Arnold, Bell, Bibbens, Blair, Bradley, Brinkley, Bryant, Burklow, Busey, Cloud, Cochran, Collins, Compton, Courtright, Cushman, Dennis, Dickinson, Dollins, Dougherty, Douglas, Epler, Ficklin, Flanders, Fowler, Gobble, Gregg, Greene of Clay, Green of Gr'ne, Hambaug, Hannaford, Hatch, Hick, Hicks, Hinton, Horney, Hunsaker, Jackson of McHenry, Koerner, Kuykendall, Lawler, Loy, McBride, McClernand, McDonald of Calhoun, McDonald of Jo Daviess, McMillan, Madden, Manning, Marshal, Miller, Murphy, Nesbit, Norris, Owen, Penn, Scott, Shirley, Simms, Smith of Crawford, Spicer, Stewart, Tack-erberry, Thompson, Turner, Vandever, Vinyard, West, Weatherford, Wheat, Whitcomb, White, Whitten, Wilson, Woodworth, and Mr. Speaker, of the House of Representatives.

Those who voted for Levi Davis, are,

Messrs. Baker, Davidson, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, Smith, Stapp, Waters, and Worthington, of the Senate, and

Messrs. Adams, Aldrich, Andrus, Bailhache, Blakeman, Brown of Pike, Brown of Sangamon, Browning, Caldwell, Canady, Davis of Bond, Dubois, Edwards, Ervin, Ewing, Garrett, Graves, Hanson, Harper, Jackson of Whiteside, Jonas, Kendall, Langworthy, Lockard, Logan, Menard, Pickering, Pratt, Smith of Hancock, Starr, Stockton, and Yates, of the House of Representatives.

James Shields, having received a majority of all the votes given, was declared by the Speaker of the House of Representatives duly elected Auditor of Public Accounts for the State of Illinois.

The two Houses then proceeded to vote for Treasurer, and the vote being taken, stood thus:

For Milton Carpenter, 107.

For Joseph Conway, 38.

For Enoch Moore, 1.

For James Scott, 1.

For R. W. English, 1.

Those who voted for Mr. Carpenter, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Cullom, Dougherty, Feaman, Fithian, Harris, Henry, Hoard, Houston, James, Leviston, Markley, Mat-

teson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Vandeventer, Warren, Waters, Willbanks, and Wynne, of the Senate, and

Messrs. Ames, Anderson, Arnold, Bell, Bibbens, Blair, Bradley, Brinkley, Bryant, Burklow, Busey, Canady, Cloud, Cochran, Collins, Compton, Courtright, Cushman, Davis of Williamson, Dennis, Dickinson, Dollins, Dougherty, Douglas, Epler, Ficklin, Flanders, Fowler, Gobble, Gregg, Green of Clay, Green of Greene, Hambaugh, Hatch, Hick, Hicks, Hinton, Horney, Hunsaker, Jackson of McHenry, Koerner, Kuykendall, Lawler, Loy, McBride, McClernand, McDonald of Calhoun, McDonald of Jo Daviess, McMillan, Madden, Manning, Marshal, Miller, Murphy, Nesbit, Norris, Owen, Penn, Scott, Shirley, Simms, Smith of Hancock, Spicer, Stewart, Tackerberry, Thompson, Turner, Vandever, Vinyard, West, Weatherford, Wheat, Whitcomb, White, Whitten, Wilson, Woodworth, and Mr. Speaker, of the House of Representatives.

Those who voted for Joseph Conway, are,

Messrs. Baker, Buford, Davidson, Harrison, Johnson, Ruggles, Smith, Stapp, and Worthington, of the Senate, and

Messrs. Adams, Aldrich, Andrus, Bailhache, Blakeman, Brown of Pike, Brown of Sangamon, Browning, Caldwell, Davis of Bond, Dubois, Edwards, Eryin, Garrett, Graves, Hanson, Harper, Jackson of Whiteside, Johas, Kendall, Langworthy, Lockard, Logan, Menard, Pickering, Pratt, Starr, Stockton, and Yates, of the House of Representatives.

Mr. Killpatrick, of the Senate, voted for Enoch Moore.

Mr. Ewing, of the House of Representatives, voted for James Scott.

Mr. Smith of Crawford, of the House, voted for R. W. English.

Milton Carpenter, having received a majority of all the votes given, was declared by the Speaker of the House of Representatives, duly elected Treasurer of the State of Illinois.

On motion,

The two Houses then proceeded to the election, by joint ballot, of an associate Justice of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Sidney Breese.

Mr. Cram, of the Senate, and Manning, of the House of Representatives, were appointed tellers, and the votes being counted, stood thus:

For James Semple, 127.

Blanks, 14.

Scattering, 5.

James Semple, having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected an associate Justice of the Supreme Court of the State of Illinois, to fill the vacancy occasioned by the resignation of the Hon. Sidney Breese.

On motion,

The two Houses then proceeded to the election, by joint ballot, of an associate Justice of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Theophilus W. Smith, and the ballots being counted, there were found

For Richard M. Young, 122.

Blanks, 12.

Scattering, 8.

Michael M. Young, having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected associate Justice of the Supreme Court of the State of Illinois, to fill the vacancy occasioned by the resignation of the Hon. Theophilus W. Smith.

On motion,

The two Houses then proceeded to the election, by joint ballot, of an associate Justice of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Thomas Ford, and the ballots being counted, there were found

For John M. Robinson, 115.

Blanks, 15.

Scattering, 14.

John M. Robinson, having received a majority of all votes given, was declared, by the Speaker of the House of Representatives, duly elected associate Justice of the Supreme Court of the State of Illinois, to fill the vacancy occasioned by the resignation of the Hon. Thomas Ford.

The two Houses of the General Assembly then proceeded to the election, *viva voce*, of a State's Attorney for the first judicial circuit; and the vote being taken, stood thus:

For John W. Evans, 85.

A. M. Heslep, 26.

John S. Greathouse, 16.

A. C. Rucker, 8.

Solomon S. Chester, 4.

Those who voted for Mr. Evans, are,

Messrs. Baker, Cullom, Davidson, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Matteson, Minard, Parrish, Ruggles, Ryan, Slocumb, Smith, Stapp, Vandeventer, Warren, Waters, Willbanks, and Worthington of the Senate, and

Messrs. Aldrich, Arnold, Bailhache, Bell, Bibbens, Blakeman, Brinkley, Brown of Pike, Brown of Sangamon, Browning, Caldwell, Cloud, Cochran, Compton, Dollins, Dougherty, Dubois, Epler, Erwin, Ewing, Graves, Gregg, Green of Clay, Harper, Hatch, Hick, Hunsaker, Jackson of McHenry, Jackson of Whiteside, Kendall, Koerner, Kuykendall, Langworthy, Lockard, Logan, McBride, McClernand, Madden, Manning, Marshal, Menard, Miller, Mitchell, Norris, Penn, Pickering, Pratt, Simms, Smith of Crawford, Starr, Stewart, Stockton, Turner, Vinyard, West, Weatherford, Wheat, White, Whitten, Woodworth, Yates, and Mr. Speaker, of the House of Representatives.

Those who voted for Mr. Heslep, are,

Messrs. Barnett, Dougherty, Markley, and Parker, of the Senate, and

Messrs. Adams, Ames, Anderson, Andrus, Collins, Courtright, Cushman, Dennis, Douglas, Flanders, Fowler, Hanson, Lawler, Loy, McDonald of Jo Daviess, McMillan, Nesbit, Scott, Shirley, Smith of Hancock, Tackerberry, and Whitcomb, of the House of Representatives.

Those who voted for Mr. Greathouse, are,

Messrs. Buford, Catlin, Crain, Feaman, Harris, James, Leviston, and McMurtry, of the Senate, and

Messrs. Burklow, Busey, Dickinson, Ficklin, Gobble, Hicks, Hinton, and Thompson, of the House of Representatives.

Those who voted for Mr. Rucker, are,
Messrs. Nunnally, and Ralston, of the Senate, and
Messrs. Blair, Davis of Williamson, Edwards, Greene of Greene, Spicer, and Wilson, of the House of Representatives.

Those who voted for Mr. Chester, are,
Mr. Cavarly, of the Senate, and,
Messrs. Hambaugh, Hinton, and McDonald of Calhoun, of the House of Representatives.

John W. Evans, having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected State's Attorney for the first judicial circuit.

On motion of Mr. Parrish, of the Senate,

Willis Allen was unanimously elected State's Attorney for the third judicial circuit, and so declared by the Speaker of the House of Representatives.

On motion,

William Elliott was unanimously elected State's Attorney for the fifth judicial circuit, and so declared by the Speaker of the House of Representatives.

On motion,

Benjamin F. Fridley was unanimously elected States' Attorney for the ninth judicial circuit, and so it was declared by the Speaker of the House of Representatives.

Whereupon,

The Senate returned to their Chamber, and,

On motion, adjourned.

MONDAY, JANUARY 16, 1843.

Senate met pursuant to adjournment.

Mr. Buford presented the petition of John H. Sullivan and Albert Moyer, praying that a charter be granted authorizing them to erect dams across certain sloughs of Rock river; which was read, and,

On motion of Mr. Buford,

Referred to the committee on Incorporations.

On motion of Mr. Parrish,

Leave of absence was granted to Mr. Willbanks, for ten days.

Mr. Slocumb presented the petition of Henry McClane, praying remuneration for money and time spent in pursuing and bringing John Field to justice; the reading of which was,

On motion of Mr. Slocumb,

Dispensed with, and referred to the committee on Petitions.

On motion of Mr. Killpatrick,

Leave of absence was granted to Mr. Cullom, for eight days.

Mr. Barnett presented the petition of sundry citizens of De Witt county, in relation to common schools; the reading of which was, on his motion, dispensed with, and the petition

Referred to the committee on School Lands and Education.

Mr. Dougherty presented the petition of sundry citizens of Alexander county, praying an extension of time for the laying out of a road therein named; the reading of which was dispensed with, and the same,

On motion of Mr. Dougherty,

Referred to the committee on Public Roads.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to amend an act entitled 'An act relative to criminal jurisprudence,' approved February 26, 1833," reported the same back to the Senate, with an amendment; which amendment was concurred in, and the bill, as amended, was

Ordered to be engrossed for a third reading.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for an act entitled "An act for the protection of the property of married women," reported the same back with an amendment.

Mr. Baker moved that the bill and amendment be indefinitely postponed; which was decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Davidson, Davis, Fithian, Harris, Henry, Houston, Killpatrick, Markley, McMurtry, Minard, Parrish, Ruggles, Slocumb, and Worthington—16.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Feaman, Harrison, Hoard, James, Johnson, Leviston, Matteson, Nunnally, Parker, Ralston, Stapp, Thompson, Vandeventer, Warren, and Waters—20.

The question was then taken on the amendment proposed by the Judiciary committee, and agreed to.

The bill as amended was ordered to be engrossed for a third reading.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the accompanying memorial, in accordance with the accompanying petition, addressed to the Congress of the United States, praying the passage of a law granting to the State certain lands for the construction of the Northern Cross Railroad.

In which they ask the concurrence of the Senate.

Mr. Baker from the committee on Retrenchment, to which was referred a bill for "An act for the relief of Wm. M. Bell," reported the same back to the Senate without amendment, and recommended the passage of the bill.

The bill was ordered to be engrossed for a third reading.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill, for "An act to tax lands five years from the sale," reported the same back with an amendment.

The question was then taken on agreeing to the amendment reported by the Judiciary committee, and decided in the affirmative.

Mr. Warren offered for adoption the following resolution, which, according to the rule, lies one day on the table:

Resolved, That hereafter, the hour for the Senate to meet shall be at nine o'clock, A. M.

Mr. McMurtry offered for adoption the following resolution, which, according to the rule, lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to report a bill supplementary to "An act amending 'An act regulating the sale of property on executions,' " so as to have said property valued according to its fair and equitable value at the time when such property is offered for sale; and further amending said act in all other respects so as to afford prompt and efficient relief, securing the rights of all parties as far as possible; and that they report at as early a day as practicable.

Mr. Parrish offered for adoption the following preamble and resolution to wit:

Whereas, it is unprecedented in the history of the Legislature of this State, for a Sergeant-at-Arms of the Senate, in the face of a resolution lately passed by the Senate declaring against having such officer, to usurp the authority to appoint an assistant: *And whereas*, the said Sergeant-at-arms, Iram Nye, did appoint one John Kavanaugh his assistant, contrary to a resolution of the Senate, and reported the name of the said Kavanaugh to the Auditor of Public Accounts, as an officer of the Senate, and drew for himself \$100, and for the said Kavanaugh \$100 also: *And whereas*, the said Sergeant-at-Arms promised to pay said Kavanaugh \$20 per month, if he had to pay him out of his own funds, and \$30 per month, if the State agreed to pay him: *And whereas*, the said Sergeant-at-arms after drawing the \$100 for the said Kavanaugh, paid said Kavanaugh \$20 only of the \$100, and reserved the \$80 in his own hands for himself; and after a resolution of inquiry was introduced, said Iram Nye did seek said Kavanaugh, and hand over to him the remaining \$80; *And whereas*, such a course of conduct, to say the least of it, is very culpable, if not derogatory to the high trust conferred upon him by the Senate; therefore,

Resolved by the Senate, That the said Iram Nye will no longer be recognized as an officer of this body.

On motion of Mr. Davis,

The rule of the Senate was dispensed with, in order that the preamble and resolution might now be considered.

Mr. Cavarly moved that the preamble and resolution be referred to a select committee of five, with the following instructions, to wit:

"To send for persons and papers and to examine witnesses on oath, and that said committee embody the evidence so taken, and report the same to the Senate."

Mr. Baker moved to lay the preamble and resolution on the table until the 4th of July next.

The question was then taken on the motion of Mr. Cavarly to refer with instructions, and decided in the affirmative.

Ordered, that Messrs. Parrish, Cavarly, Vandeventer, Davidson and Davis be that committee.

Mr. Parrish introduced a bill for "An act to allot the judicial circuits of this State among the several Justices of the Supreme Court;" which was read the first time, and

Ordered to a second reading.

Mr. McMurtry introduced a bill for an act entitled "An act supplement-

tal to an act, entitled 'An act regulating the sale of property,' approved January —, 1843;" which was read the first time, and

Ordered to a second reading.

Mr. Thompson introduced a bill to incorporate the city of Peoria; which was read the first time, and

Ordered to a second reading.

A message from the House of Representatives by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed a bill for "An act confirming certain ferry privileges to the county of Bureau."

In the passage of which I am directed to ask the concurrence of the Senate.

On motion of Mr. Ralston,

The following order was adopted, to wit:

It is ordered, that the orders of the day shall hereafter be taken up at 2 o'clock, P. M., of each day, and continued through the residue of the day, unless the same shall have been sooner disposed of.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The Speaker laid before the Senate a communication from the President of the State Bank of Illinois, made in compliance with a resolution of the Senate, requiring that officer to inform the Senate in relation to State bonds held by the bank, and as to subscriptions for stock by Fund Commissioners in said bank, &c.; which was read, and,

On motion,

Laid on the table.

Engrossed bills of the following titles:

A bill for "An act to enable the collector of Monroe county to collect the delinquent taxes of 1839;"

A bill for "An act supplementary to 'An act for the sale of certain lots therein named,' approved February 26, 1841;"

A bill for "An act to vacate part of a State road in Peoria;" and

A bill for "An act to amend an act, entitled 'An act relative to criminal jurisprudence,' approved February 26, 1841," were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act, entitled 'An act for the protection of the property of married women,'" was read a third time, and

On the question—"Shall the bill pass?"

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Crain, Dougherty, Feaman, Harrison, Hoard,

James, Leviston, Matteson, Nunnally, Parker, Ralston, Smith, Vandeventer, and Waters—16.

Those who voted in the negative, are,

Messrs. Baker, Davidson, Davis, Fithian, Harris, Henry, Houston, Johnson, Killpatrick, Markley, McMurtry, Minard, Parrish, Ruggles, Slocumb, Stapp, Warren, and Worthington—18.

Senate bill for "An act to relieve the Mount Vernon Academy," was read a second time, and,

On motion of Mr. Killpatrick,

Referred to the committee on School Lands and Education.

The bill from the House of Representatives for "An act supplementary to the several acts defining the duties of Public Printers," as amended by the Senate, was read a third time.

Mr. McMurtry moved to amend the first section of the bill by striking out the words "five hundred" in relation to printing the reports, and insert "one thousand" in lieu thereof; which was,

On motion of Mr. Cavarly,

Laid on the table.

Mr. Henry moved to refer the bill to the committee on Retrenchment; which was not agreed to.

Mr. Henry moved to amend the bill, by striking out the third and fourth sections; which was agreed to by yeas and nays, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cavarly, Davidson, Feaman, Fithian, Harris, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Matteson, Parrish, Ruggles, Smith, Stapp, Warren, Waters, and Worthington—21.

Those who voted in the negative, are,

Messrs. Barnett, Crain, Davis, Houston, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Ralston, Slocumb, Vandeventer, and Wynne—14.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment.

The bill from the House of Representatives for "An act for the permanent location of the county seat of Lake county," was read a third time and passed.

Ordered, That the title be as as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives for "An act concerning the records of Jersey county," was read a second time, and,

On motion of Mr. Cavarly,

Referred to the committee on the Judiciary.

Bills from the House of Representatives for "An act for the relief of Jonathan D. Manlove," and for "An act to legalize certain acts of the county commissioners of Lake county," were severally read a second time, and

Ordered to a third reading.

Bills from the House of Representatives, of the following titles, to wit:

"A bill for "An act to amend an act, entitled 'An act to provide for leasing the Saline reserves in Jackson county, and granting pre-emption rights to certain persons therein named;'"

A bill for "An act to compensate Henry Brown for services rendered as State's Attorney in the seventh judicial circuit;" and

A bill for "An act to provide for the collection of the revenue due from delinquents in the county of Gallatin, for the year 1841," were severally read a first time, and

Ordered to a second reading.

House bill for "An act for the relief of the widow and heirs of Tyler D. Hewitt, deceased, late commissioner of saline lands," was read a first time, and

Ordered to a second reading, and,

On motion of Mr. Killpatrick,

Read a second time by its title, the rule having been dispensed with, and the bill referred to the committee on Salines and Saline Lands.

A bill from the House of Representatives for "An act to legalize the assessment of taxes in the counties of Mercer, St. Clair and Macoupin, and other counties for the year 1842," was read the first time, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

On motion of Mr. Catlin,

The bill was amended by adding the following to the end of the second section, to wit:

"The provisions of this act shall extend to the county of St. Clair, for the years 1841 and '42."

On motion of Mr. Harris,

The bill was referred to a select committee.

Ordered, That Messrs. Harris, Catlin and McMurtry be that committee.

A House bill for "An act relative to probate justices of the peace," was read the first time, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on the Judiciary.

A House bill for "An act in relation to official bonds," was read the first time, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule of the Senate was dispensed with and the bill was read a second time by its title, and referred to the committee on the Judiciary.

A House bill for "An act to amend the charter of the city of Chicago," was read the first time, and

Ordered to a second reading.

A House bill for "An act to enable the inhabitants of incorporated townships to dissolve their incorporations," was read the first time, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule of the Senate was dispensed with, and the bill was read a sec-

ond time by its title, and referred to the committee on School Lands and Education.

A House bill for "An act regulating the chancery practice," was read the first time, and

Ordered to a second reading.

A House bill for "An act to alter the provisions of an act making provisions for organizing and maintaining common schools, approved February 26, 1841," was read the first time, and

Ordered to a second reading.

Mr. Davidson moved that rule of the Senate be dispensed with, and that the bill be now read a second time by its title; which was agreed to by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Davidson, Dougherty, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, McMurtry, Minard, Parker, Ralston, Ruggles, Slocumb, Smith, Stapp, Vandeventer, Warren, Waters, and Worthington—30.

Those who voted in the negative, are,

Messrs. Crain, Davis, Nunnally, Parrish, and Wynne—5.

On motion of Mr. Davidson,

The bill was referred to the committee on School Lands and Education.

A message from the House of Representatives, containing a resolution requiring the Secretary of State to procure a manuscript copy of the lecture delivered by Judge Breese on the early history of Illinois, and have the same bound, &c., was taken up and adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House, containing a preamble and resolutions, condemnatory of the repudiation of the debts of the State, was taken up, and,

On motion of Mr. Cavarly,

Was referred to the committee on Public Accounts and Expenditures.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 17, 1843.

Senate met pursuant to adjournment.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision, to inform the Senate, that they have approved "An act permanently to locate the county seat of Mason county."

Mr. Davis moved to reconsider the vote given on yesterday, on the passage of the bill from the House of Representatives for "An act supplementary to the several acts defining the duties of the Public Printer;" and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Crain, Davis, Feaman, Harris, Houston, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Vandeventer, Warren, and Wynne—20.

Those who voted in the negative, are,

Messrs. Cavarly, Davidson, Dougherty, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Matteson, Ruggles, Smith, Stapp, Waters, and Worthington—16.

Mr. Parrish moved to reconsider the vote given on yesterday upon the motion of Mr. Henry, to strike out the third and fourth sections of the bill from the House, above referred to; and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Crain, Davis, Feaman, Harris, Houston, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Vandeventer, Warren, and Wynne—19.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Davidson, Dougherty, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Matteson, Ruggles, Slocumb, Smith, Stapp, Waters, and Worthington—18.

Mr. Baker moved to amend the bill, by striking out the third section, and the words, "Public Printer or Printers," in the fourth section; which the Chair decided not to be in order.

Mr. Parrish moved to refer the bill to the committee on Finance, with instructions "to amend it so as reduce the price of binding in proportion to the reduction in the prices of printing, and so as to require the Secretary of State to let out the binding to the lowest responsible bidder."

Mr. Ralston moved to amend the instructions, by adding to them the following:

"And so as to require to be printed one thousand copies of the Legislative reports of the present session of the General Assembly, and thereafter only five hundred."

Mr. Baker moved to lay the motion to refer to the committee on Finance, with instructions, on the table; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Davidson, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Matteson, Smith, Stapp, Waters, and Worthington—15.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Crain, Davis, Dougherty, Feaman, Harris, Houston, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Vandeventer, Warren, and Wynne—22.

Mr. Hoard moved to lay the amendment proposed by Mr. Ralston to the instructions on the table; and the question being taken thereon,

It was decided in the negative, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Cavarly, Fithian, Harris, Harrison, Henry, Hoard, Johnson, Killpatrick, Matteson, Ruggles, Smith, Stapp, Waters, and Worthington—15.

Those voting in the negative, are,

Messrs. Barnett, Buford, Catlin, Davidson, Davis, Dougherty, Feaman, Houston, James, Leviston, Markley, McMurtry, Minard, Nunnally,

Parker, Parrish, Ralston, Slocumb, Vandeventer, Warren, and Wynne—21.

Mr. Stapp moved that the Senate adjourn to 2 o'clock, P. M.; which was not agreed to.

The question was then taken on the adoption of the amendment to the instructions, and decided in the affirmative; and,

On the question—"Shall the bill be referred to the committee on Finance, with instructions, as amended,

It was decided in the affirmative.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Engrossed bill for "An act for the relief of William M. Bell," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act to tax lands for five years from sale," was read a third time and passed.

On motion of Mr. Davidson,

The title of the bill was amended, by striking out the word "sale," and adding the words, "date of entry."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

House bills of the following titles were severally read a third time and passed, to wit:

A bill for "An act to legalize certain acts of the county commissioners of Lake county;" and

A bill for "An act for the relief of Jonathan D. Manlove."

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A Senate bill for "An act to allot the judicial circuits of this State among the several justices of the Supreme Court," was read a second time, and,

On motion of Mr. Parrish,

Referred to the committee on the Judiciary.

Senate bill for "An act entitled an act supplemental to an act entitled 'An act regulating the sale of property,' approved January —, 1843," was read a second time, and,

On motion of Mr. Vandeventer,

Referred to a select committee.

Ordered, That Messrs. Vandeventer, McMurtry, and Parrish be that committee.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and a bill for "An act to incorporate the town of Peoria," was read a second time by its title, and referred to the committee on Incorporations.

House bill for "An act to amend an act entitled 'An act to provide for leasing the Saline reserves in Jackson county, and for granting pre-emp-

tion rights to certain persons therein named," was read a second time, and,

On motion of Mr. Feaman,

Referred to the committee on Salines and Saline Lands.

House bill for "An act to provide for the collection of the revenue due from delinquents in the county of Gallatin for the year 1841," was read a second time, and,

On motion of Mr. Parker,

Referred to the committee on Finance.

House bill for "An act to amend the charter of the city of Chicago," was read a second time, and

Ordered to a third reading.

House bills of the following titles, were severally read a second time, and referred to the committee on the Judiciary, to wit:

A bill for "An act relating to chancery practice;" and

A bill for "An act to compensate Henry Brown for services rendered as State's Attorney in the seventh judicial circuit."

Bills from the House of Representatives:

A bill for "An act to extend the jurisdiction of county commissioners' courts, and for other purposes;"

"An act for the relief of the collector of McLean county;"

A bill for "An act regulating the manner of selecting juries in certain cases;" and

A bill for "An act to authorize Elijah D. Ewing to convey real estate;" were severally read the first time, and the rule of the Senate being dispensed with, were read a second time by their titles, respectively, and referred to the committee on the Judiciary.

A bill for "An act to authorize the erection of a bridge across Rock river;" and

A bill for "An act to amend 'An act to provide for the establishment of ferries, toll bridges, and turnpike roads,' approved February 12, 1827;" were severally read a first time, and the rule of the Senate being dispensed with, were read a second time by their titles, and referred to the committee on Internal Navigation.

A bill for "An act to locate a State road in Hancock county," was read a first time, and,

On motion of Mr. Davis,

The rule was dispensed with, and said bill read a second time by its title, and referred the committee on Public Roads.

A bill for "An act to change the name of the town of Saratoga, in the county of Union;" and

A bill for "An act authorizing an additional justice of the peace and constable in Middletown precinct, in McDonough county;" were severally read the first time, and the rule of the Senate being dispensed with, were read a second time by their titles, and

Ordered to a third reading.

A bill for "An act to amend the several laws in relation to the trial of the right of property before justices of the peace," was read the first time, and

Ordered to a second reading.

On motion of Mr. Stapp,

The rules were dispensed with, and said bill read a second time by its title, and referred to the committee on Public Grounds and Buildings.

A bill for "An act in relation to a poor house in Jersey county," was read the first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rules were dispensed with, and the said bill read a second time by its title, and referred to the committee on Public Accounts and Expenditures.

A bill for "An act to legalize defective returns of school directors and treasurers of townships in the counties therein named," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rules were dispensed with, and said bill read a second time by its title, and referred to the committee on School Lands and Education, with instructions to make the law of a general nature.

A bill for "An act organizing a school district in Vermilion county, and authorizing the sale of school lands therein," was read the first time, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on School Lands and Education.

The bill for "An act authorizing Benjamin Vermilion to erect a mill-dam across Racoon creek, in Clay county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill for "An act to amend an act entitled 'An act to incorporate the Rock River Seminary, in Ogle county, Illinois,'" was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on School Lands and Education.

A bill for "An act to re-locate a part of the State road from Benton, in Franklin county, to Equality, in Gallatin county," was read a first time and

Ordered to a second reading.

On motion of Mr. Leviston,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Parrish,

Referred to a select committee.

Ordered, That Messrs. Parrish, Leviston, and Slocumb be that committee.

A bill for "An act to exempt the Shiloh Meeting House tract from taxation," was read a first time, and

Ordered to a second reading,

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to be read a third time.

A bill for "An act to prohibit the reception of depreciated paper in payment of public dues," was read, and

Ordered to be read a second time.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Stapp moved to amend the first section of the bill, by inserting after the words, "revenues of this State," the words, "or county revenue."

On motion of Mr. Cavarly,

Ordered, That the bill be referred to the committee on Finance.

A bill for "An act to vacate the alleys in William H. Reed's, Thomas H. Lilly's, and William Elliott's additions to the town of Olney, in Richland county," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Houston,

Referred to the committee on Incorporations.

A bill for "An act to amend 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,' approved January 23, 1839," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill for "An act organizing a school district in the county of Iroquois," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill for "An act to amend 'An act to regulate proceedings by attachments before justices of the peace,' approved February 27, 1837," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

A bill for "An act to amend 'An act in relation to garnishees,' approved February 12, 1839; and, also, to amend 'An act concerning attachments,' approved February 12, 1833; also to amend 'An act to regulate proceedings by attachments before justices of the peace, passed February 27, 1837,'" was read, and

Ordered to a second reading.

On motion of Mr. James,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary,

A bill for "An act to change part of a turnpike road in Hancock county," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Cavarly,

Referred to the committee on Public Roads.

The bill for "An act for the relief of Thomas Cox," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Stapp,

Referred to the committee on Finance.

The preamble and resolutions from the House of Representatives, authorizing the county commissioners of Sangamon county to fit up a room in the State House, to be used as a court room for said county, were read, and,

On the question—"Will the Senate concur with the House in their adoption?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 18, 1843.

Senate met pursuant to adjournment.

Mr. Harrison presented the petition of the mayor and aldermen of the city of Galena; which was read, and,

On motion of Mr. Harrison,

Referred to the committee on Incorporations.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to compensate Henry Brown for services rendered as State's Attorney in the seventh judicial circuit," reported the same back without amendment, and recommended its passage.

The bill was ordered to a third reading.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act regulating the manner of selecting juries in certain cases," reported the same back without amendment.

The question was then taken on ordering the bill to a third reading, and decided in the affirmative.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred in certain amendments of the Se-

ate to the bill for "An act to diminish the State debt, and put the State bank into liquidation." Have refused to concur with the Senate in certain others of their amendments to said bill; and have amended two amendments of the Senate to said bill. All which is particularly and explicitly set forth in the accompanying bill of amendments.

Of all which I am directed to inform the Senate, and ask their concurrence therein.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to extend the jurisdiction of county commissioners' courts, and for other purposes," reported the same back, without amendment, and recommended its passage.

Ordered, That said bill be read a third time.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act for the relief of Calvin Gold," reported the same back, without amendment, and recommended its passage.

Ordered, That said bill be read a third time.

Mr. Matteson, from the committee on Finance, to which was referred a certain petition, reported a bill for "An act in relation to burying grounds, church yards, and lands used by literary institutions," which was read a first time, and

Ordered to a second reading, and,

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act to amend an act entitled 'An act concerning the public venue,'" reported the same back, without amendment, and recommended rejection.

On motion of Mr. Ralston,

The bill was indefinitely postponed.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act for the relief of Thomas Cox," reported the same back, without amendment, and recommended its passage.

Ordered, That said bill be read a third time.

Mr. Harris, from the select committee, to which was referred a bill for an act to legalize the assessment of taxes in the counties of Mercer, St. Clair, Macoupin, and other counties for year 1842," reported the same back, without amendment, and recommended its passage.

Ordered, That said bill be read a third time.

On motion of Mr. McMurtry,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Davidson, from the committee on School Lands and Education, to which was referred a bill for "An act to regulate interest at six per cent.," with instructions, reported the same back, with an amendment, as a substitute therefor.

Mr. Ralston moved to amend the amendment, by adding the following to the first section, to wit:

"Hereafter parties may contract for and receive eight per cent. and more;" which was,

On motion of Mr. Stapp,

Laid on the table.

Mr. Hoard moved to amend the ninth line, by adding "not less than eight or more than ten," and amend the last line, by adding after "ture," the words, "not less than eight nor more than ten;" which was,

On motion of Mr. Stapp,

Laid on the table.

Mr. Johnson moved to amend the second section of the amendment, striking out the word "eight," wherever it occurs, and inserting in lieu thereof the word "nine."

Mr. McMurtry called for a division of the question, so as first to take the vote on striking out.

The question was then taken on striking out, and decided in the negative.

Mr. Ralston moved to amend the amendment, by adding the following to wit:

"The third, fourth, fifth and sixth sections of the act to which this is amendment, shall remain in full force and shall be applicable to this act which was,

On motion of Mr. Warren,

Laid on the table.

The question was then taken on concurring with the committee on School Lands and Education in their amendment to the bill, and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Evans, Fithian, Harris, Houston, Johnson, Killpatrick, Leviston, Matteson, McMurtry, Nunnally, Parker, Parrish, Ruggles, Stapp, Warren, Waters, and Wynne—22.

Those who voted in the negative, are,

Messrs. Baker, Davis, Feamap, Harrison, Henry, Hoard, James Markley, Minard, Ralston, Slocumb, and Vandeventer—12.

Ordered, That the bill be engrossed for a third reading.

Mr. Davidson, from the committee on School Lands and Education, which was referred the petition of forty-nine citizens of Ogle county praying for the creation of the office of superintendent of common schools, reported the petition back to the Senate, and asked and obtained a discharge from the further consideration thereof.

On motion of McMurtry,

The petition was laid on the table.

Mr. Cavarly, from the committee on Finance, reported a bill for "An act appropriating certain moneys to meet contingent expenses;" which was read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, and said bill read a second time by title.

On the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative, as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Feaman, James, Leviston, Markley, Hteson, McMurtry, Minard, Ralston, and Slocumb—12.

Those who voted in the negative, are,

Messrs. Baker, Crain, Davidson, Davis, Evans, Fithian, Harris, Harris, Henry, Hoard, Houston, Johnson, Killpatrick, Nunnally, Parker, Irish, Ruggles, Vandeventer, Warren, Waters, Worthington, and Wynne—22.

Mr. Parrish, from the select committee, to which was referred a bill in the House for "An act to re-locate a part of a State road from Ben- in Franklin county, to equality, in Gallatin county," reported the same to the Senate, without amendment, and recommended its passage.

On motion of Mr. Parrish,

The rule was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof.

Mr. Crain offered for adoption the following resolution, which was adopted, the rule having been, on his motion, dispensed with:

Resolved, That the president of the State Bank be requested to furnish the Senate, forthwith, copies of the subscriptions for the bank stock, made on behalf of the State by her Governor and Fund Commissioners; and copies of the entries made to her credit for payment of the same.

Mr. Catlin offered the following resolution, which was adopted, the rule having been, on his motion, dispensed with:

Resolved, That instructions be given to the committee appointed by the Governor to investigate the accounts of the bank, to count or ascertain the amount of specie the bank has on hand.

Mr. Hoard offered the following resolution, which was adopted, the rule having been, on motion of Mr. Davidson, dispensed with:

Resolved, That the Public Printer be requested to report to the Senate within three days, the cost of printing five hundred copies of the seventh annual report of the canal commissioners of the Illinois and Michigan canal, ordered to be printed by the Senate; also, of the one thousand copies of the reports ordered to be printed by the House of Representatives, specifying the charges for composition; and whether or not he charges again for composition for said report, when he prints the same in the volume of reports ordered for distribution and for the use of the State; and whether he charges for the composition of any of the reports printed for the use of the General Assembly, and again charges for printing the volume of reports; also, whether he charges for spaces or space lines in the bills printed for the use of the General Assembly; and, also, that he report the reasons for not complying with the requisitions of the thirteenth section of the act supplemental to an act defining the duties of Public Printer, and fixing the time and manner of performing the same, approved February 1, 1841."

Mr. Wynne, on leave, introduced a bill for "An act to amend 'An act regulating mills and millers,'" which was read, and

Ordered to a second reading.

Mr. Stapp, on leave, introduced a bill for "An act to increase the per diem pay of grand and petit jurors, and to allow them mileage;" which was read, and

Ordered to a second reading.

On motion of Mr. Stapp,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Finance.

A message from the House of Representatives by Mr. Ewing, the Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed a bill for "An act for the relief of the persons therein named."

In which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of a bill for "An act to punish the crime of incest," as amended by them.

In which amendment they ask the concurrence of the Senate.

Mr. Minard introduced a bill for "An act to authorize John Vanfleet to build a dam across Fox river;" which was read a first time, and

Ordered to a second reading, and,

On motion of Mr. McMurtry,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Internal Navigation.

The resolution, introduced some days since by Mr. Davis, instructing the committee on the Judiciary to inquire into the expediency of reporting a bill repealing all laws requiring bail on capias, &c. &c. was taken up and adopted.

The preamble and resolution, introduced by Mr. Cullom, instructing the committee on the Judiciary to make certain inquiries as to the State Treasurer, &c., was taken up and adopted.

The resolution, introduced by Mr. Warren, changing the standing hour of adjournment from 10 o'clock, A. M., to that of nine, A. M., was taken up and adopted, by yeas and nays as follows, to wit:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Evans, Feaman, Hoard, Johnson, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Ralston, Slocum, Vandeventer, Warren, Waters, and Wynne—18.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Crain, Davidson, Davis, Fithian, Harris, Harrison, Henry, Houston, James, Killpatrick, Parrish, Ruggles, Stapp, and Worthington—16.

The resolution, introduced by Mr. McMurtry, instructing the committee on the Judiciary to report a bill amending the act regulating the sale of property, &c., was taken up, and,

On motion of Mr. Parker,

Laid on the table.

The memorial and resolutions, introduced by Mr. James, praying Congress to make an appropriation for the removal of the obstructions to the navigation of the Mississippi river, were taken up and adopted.

Ordered, That the Secretary inform the House of Representatives hereof, and ask their concurrence therein.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Ralston,

The order of business was suspended, to enable him to introduce a bill for "An act to authorize school commissioners, guardians, &c., to purchase property on execution;" which was read, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Crain,

Referred to the committee on School Lands and Education.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, in which they ask the concurrence of the Senate, to wit:

Resolved by the House of Representatives, the Senate concurring herein, That the two Houses will meet in the Hall of the House on the 19th inst., at 7 o'clock, P. M., and proceed to the election of State's Attorneys in the seventh, sixth, fourth, and second circuits, respectively.

On motion of Mr. Cavarly,

The order of business was suspended and the bill from the House of Representatives for "An act to diminish the State debt, and to put the State Bank into liquidation," as amended by the Senate, with amendments by the House, was taken up, and

On the question—"Will the Senate concur in the amendment of the House to the amendment of the Senate to the eighth and tenth sections of said bill?"

It was decided in the affirmative.

Mr. Baker moved that the Senate recede from all their amendments to said bill which the House have not amended, and in which the House have not concurred.

Mr. Cavalry called for a division of the question; and,

On the question—"Will the Senate recede from their first amendment to the second section of said bill?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cavarly, Davidson, Dougherty, Feaman, Fithian, Harrison, Henry, Johnson, Killpatrick, Matteson, McMurtry, Parker, Ruggles, Slocumb, Smith, Vandeventer, Waters, and Worthington—20.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Davis, Evans, Harris, Hoard, James, Leviston, Markley, Minard, Nunnally, Parrish, Ralston, Warren, and Wynne—16.

On the question—"Will the Senate recede from their second amendment to the eighth section of said bill?"

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Dougherty, Feaman, Harrison, Henry, and Johnson—6.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davidson, Davis, Evans, Fithian, Harris, Hoard, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Vandeventer, Warren, Worthington, and Wynne—29.

On the question—"Will the Senate recede from their third amendment to the eighth section,"

It was decided in the negative.

On the question—"Will the Senate recede from their second amendment to the tenth section."

It was decided in the negative.

On the question—"Will the Senate recede from their amendment, adding a sixteenth section to said bill?"

It was decided in the negative.

Ordered, that the Secretary acquaint the House of Representatives therewith.

The bill from the House of Representatives for "An act to provide for the receipt of the distributive share of this State of the proceeds of the sale of public lands," was read, and

Ordered to a second reading.

Mr. McMurtry moved that the rule be dispensed with, and said bill read a second time by its title; which was not agreed to.

The resolution from the House of Representatives, declaring that no act of the General Assembly of a private character should be published in the volume of acts, &c., being under consideration,

Mr. Warren moved to lay the same on the table until the 4th of July next; and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Feaman, Harris, Hoard, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Smith, Warren, and Wynne—26.

Those who voted in the negative, are,

Messrs. Baker, Davis, Fithian, Harrison, Henry, Ruggles, Stapp, Vandeventer, Waters, and Worthington—10.

On motion of Mr. Cavarly,

The order of business was suspended, and Senate bill for "An act appropriating certain property to the payment of the State debt," was taken up, and,

On motion of Mr. Davidson,

Referred to the committee of the whole Senate.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 19, 1843.

Senate met pursuant to adjournment.

On motion,

Adjourned to 10 o'clock, A. M.

TEN O'CLOCK, A. M.

The Senate met pursuant to adjournment.

Mr. Worthington presented the petition of sundry citizens of Pike county, praying the reduction of fees of the clerks of circuit courts and recorders; which was read, and on his motion,

Referred to the committee on Retrenchment.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act relative to probate justices of the peace," reported the same back to the Senate, with amendments; which were concurred in, and the bill, as amended,

Ordered to a third reading.

Mr. Ralston, from the same committee, to which was referred a bill from the House of Representatives for "An act in relation to official bonds," reported the same back without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Slocumb, from the committee on Salines and Saline Lands, to which was referred a bill from the House of Representatives for "An act to amend an act entitled 'An act to provide for leasing the Saline reserves in Jackson county, and for granting pre-emption rights to certain persons therein named,'" reported the same back without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, for "An act concerning the records of Jersey county," reported the same back with amendments; which were concurred in, and the bill, as amended,

Ordered to be read a third time.

Mr. Cavarly, from the same committee, to which was referred a Senate bill for "An act concerning corporations," reported the same back with an amendment; which amendment was,

On motion of Mr. Cavarly,

Amended by inserting in the first section of the same, between the word "incorporation" and the word "by," the words "the same being out of debt,"

The amendment reported by the committee on the Judiciary, as amended, was then concurred in.

Pending the question, on ordering the bill, as amended, to a third reading, the same was,

On motion of Mr. Killpatrick,

Laid on the table.

Mr. Matteson, from the committee on Finance, to which was referred a bill from the House of Representatives, for "An act to provide for the collection of the revenue due from delinquents in the county of Gallatin,

for the year 1841," reported the same back without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Ralston, from the same committee, to whom was referred a resolution, declaring that it is expedient for the State of Illinois to receive a distributive share of the proceeds of the sales of the public lands, according to the provisions of an act of Congress for that purpose, made report, accompanied by a bill for "An act appropriating the ten per cent. fund to the purpose of education;" which report was read, when

Mr. Crain moved that it be laid on the table, and that five hundred hundred copies thereof be printed for the use of the Senate.

Mr. Henry called for a division of the question, upon the motion of Mr. Crain, so that the vote be taken first upon laying the report on the table; and the same being taken accordingly,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Davidson, Davis, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Parker, Parrish, Ruggles, Slocumb, Stapp, Vandeventer, Waters, Worthington, and Wynne—20.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Evans, Feaman, Harris, James, Leviston, Markley, Matteson, Minard, Nunnally, Ralston, and Warren—15.

The bill last referred to, reported by the committee on Finance, was read a first time, and,

Ordered to a second reading.

On motion of Mr. James,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. McMurtry,

Laid on the table.

Mr. Leviston, from the committee on Internal Improvements, to which was referred the petition of Henry I. Mills and others, holders of internal improvement scrip, praying that said scrip be taken up, and State bonds issued in lieu thereof, reported the same back to the Senate, and asked and obtained a discharge from the further consideration thereof.

On motion of Mr. Slocumb,

Said petition was laid on the table.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill for "An act in relation to judgments and execution," reported the same back without amendment, and recommended its passage.

Ordered that said bill be engrossed and read a third time.

Mr. Henry, from the select committee, to which was referred a bill for "An act exempting certain property from execution, in addition to what is already exempted by law," reported the same back with an amendment, as a substitute for the bill.

Mr. Stapp moved to amend the amendment by adding thereto, the following:

"Sec. 2. Whenever any person shall be brought before the probate judge of the peace of any county in this State, on a *ca. sa.* to compel such person to schedule, and upon the hearing thereof, before the probate judge of the peace, as aforesaid, such person shall be compelled to schedule

ule his goods and effects, real or personal, or both, according to the act entitled "An act for the relief of insolvent debtors," approved January 12, 1839, it shall be the duty of probate justices of the peace, before whom any such person may be brought, as aforesaid, to set apart and allow such person to retain the same kind and amount of property, as is now, or may hereafter, be exempt from execution by the laws of this State."

On motion of Mr. Cavarly,

Said bill and reported amendment, and proposed amendment to the amendment, were referred to the committee on the Judiciary.

Mr. Worthington, from the select committee to which was referred a bill for "An act to repeal all laws authorizing the payment of bounties on wolf scalps by the State," and a bill for "An act ensuring the payment of a bounty on wolf scalps," reported the said bills back to the Senate, with an amendment to the former bill; which amendment Mr. Fithian moved to amend by striking it out and inserting the following:

"SEC. 1. That the county commissioners' court of any county in this State may, hereafter, allow such bounty on the big wolf and prairie wolf, of six months old and upwards, as said court may deem reasonable; said bounty to be paid out of the treasury of the county wherein said wolf or wolves may be taken or killed, upon the certificate of the clerk of the county commissioners' court, and said certificate shall be receivable by the collector of the county, wherein such allowance of bounty may have been made, for any taxes due said county.

"SEC. 2. Whenever the county commissioners' court of any county, shall determine upon allowing a bounty upon wolf scalps for any one year, they shall, at their March term of said year, enter an order upon their records, setting fourth the amount of such allowance.

"SEC. 3. The person claiming a bounty shall produce the scalp or scalps, with the ears thereon, and within ninety days after the same shall have been taken to the county commissioners' court of the county, wherein such wolf or wolves may have been taken and killed, whereupon, the clerk of said court shall administer to said person the following oath or affirmation, to wit: 'You do solemnly swear, or affirm, (as the case may be,) that the scalp or scalps here produced by you, was taken from a wolf or wolves killed by yourself within the limits of this county, and within the ninety days last passed, and that you believe the wolf or wolves, was, or were, six months old or upwards.'

"SEC. 4. That all acts and parts of acts, allowing the payment of a bounty on wolf scalps out of the State treasury, be, and the same are hereby repealed.

Mr. McMurtry moved to lay the amendment to the amendment on the table; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Crain, Evans, Harris, Leviston, Matteson, McMurtry, Nunnally, Parker, Ruggles, Vandeventer, Warren, Waters, and Worthington—13.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Davidson, Davis, Dougherty, Fezman, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Markley, Minard, Parrish, Ralston, Slocumb, Smith, Stapp, and Wynne—24.

The question was then taken on the adoption of the amendment to the amendment, and decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Markley, Minard, Parrish, Slocumb, Smith, Stapp, and Wynne—22.

Those voting in the negative, are,

Messrs. Crain, Evans, Harris, Leviston, Matteson, McMurtry, Nunnally, Parker, Ralston, Ruggles, Vandeverter, Warren, Waters, and Worthington—14.

On the question—"Will the Senate adopt the amendment as amended?"

It was decided in the affirmative.

Ordered that said bill, as amended, be engrossed and read a third time.

On motion of Mr. Stapp,

The bill for "An act ensuring the payment of a bounty on wolf scalps," was laid on the table.

On motion of Mr. Warren,

The order of business was suspended, and the resolution from the House of Representatives, proposing that the two Houses meet in the Hall of the House, on the 19th instant, at 7 o'clock, P. M., for the purpose of electing four State's Attorneys, was taken up, and,

On motion of Mr. Baker,

Amended, by striking out "7," and inserting "3" in lieu of it, and,

On motion of Mr. McMurtry,

Further amended, by striking out "19th," and inserting "20th."

The resolution, as amended, was then adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in said amendments.

Mr. Speaker laid before the Senate a communication from the president of the State Bank of Illinois, in relation to subscriptions for stock in said bank, made in obedience to a resolution of the Senate; which was read, and,

On motion of Mr. Davidson,

laid on the table.

Mr. Stapp moved that the Senate adjourn; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Davidson, Fithian, Harrison, Henry, Leviston, McMurtry, Nunnally, Parrish, Ruggles, Slocumb, Stapp, Waters, and Worthington—15.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Evans, Feaman, Harris, Hoard, James, Johnson, Killpatrick, Markley, Matteson, Minard, Parker, Ralston, Smith, Vandeverter, Warren, and Wynne—21.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, to enable him to introduce a bill for "An act to authorize the Governor to appoint commissioners of deeds;" which was read a first time, and

Ordered to a second reading.

Mr. Stapp moved that the Senate adjourn; which was not agreed to.

Mr. Harris moved a call of the Senate; and after some time spent therein, the further call was, on motion of Mr. Parrish, dispensed with.

Mr. Parrish moved that the Senate adjourn; which was not agreed to.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That a joint select committee of conference be appointed on the disagreeing votes of the two Houses, on the amendments of the Senate to House bill for "An act to diminish the State debt, and to put the State Bank into liquidation," to consist of three on the part of the House, and two on the part of the Senate; and that said committee be instructed to report in the premises as early as practicable.

Ordered, That Messrs. McClelland, Murphy, and Koerner, be the committee on the part of the House.

In the adoption of which they ask the concurrence of the Senate.

The House has concurred with the Senate in the passage of a bill for "An act to incorporate the St. Charles Academy, in Kane county."

On motion of Mr. Hoard,

The rule of the Senate was dispensed with, and the message last received from the House of Representatives was taken up for consideration.

The question was then taken on the adoption of the resolution contained in the message, and decided in the affirmative.

Ordered, That Messrs. Hoard and Davis be the committee on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives thereof.

Senate bill for "An act for the relief of Calvin Gould," was read a third time.

Mr. Dougherty moved to amend, by adding the following proviso, viz:

"*And provided further,* that said Gould shall first have transferred by quit claim deed of conveyance to the State of Illinois the said tract of land, and have the same recorded in the county of Gallatin, and deliver the same to the Secretary of State, there to be filed and preserved.

Mr. Dougherty moved to refer the bill and proposed amendment to a select committee; which was not agreed to.

Mr. Slocumb moved to lay the proposed amendment on the table; which was decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Cavarly, Davidson, Davis, Evans, Henry, Killpatrick, Minard, Parker, Slocumb, Stapp, Vandeventer, Warren, and Waters—13.

Those who voted in the negative, are,

Messrs. Crain, Dougherty, Feaman, Fithian, Harris, Harrison, James, Johnson, Markley, Matteson, McMurtry, Nunnally, Parrish, Ralston, Ruggles, Smith, and Wynne—17.

On motion of Mr. Ralston,

The bill and proposed amendment were referred to the committee on Finance.

Senate bill for "An act in relation to burying grounds, church yards, and lands used by literary institutions," was read a third time, and,

On motion of Mr. Cavarly,

Laid on the table.

On motion of Mr. Henry,

The rule of the Senate was dispensed with, to enable him to introduce the petition of Nathaniel Coffin, praying for the passage of an act to exempt all the property, real and personal, of colleges from taxation, and for other purposes; which was read, and,

On motion of Mr. Henry,

Referred to a select committee.

Ordered, That Messrs. Buford, Henry, and Cavarly be that committee.

On motion of Mr. Cavarly,

The bill, just laid on the table, was taken up and referred to the select committee to which was referred the last named petition.

Senate bill for "An act to regulate interest at six per cent.," was read a third time.

The question was then taken on the passage of the bill, and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Barnett, Cathin, Cavarly, Crain, Davidson, Evans, Fithian, Harris, Johnson, Killpatrick, Matteson, McMurtry, Nunnally, Parker, Parrish, Ruggles, Slocumb, Stapp, Warren, Waters, Worthington and Wynne—22.

Those who voted in the negative, are,

Messrs. Davis, Dougherty, Feaman, Harrison, Henry, James, Markley, Minard, Ralston, Smith, and Vandeventer—11.

On motion of Mr. Davidson,

The title was amended by substituting the following, to wit:

A bill for "An act to amend the 'Act regulating interest on money,' approved 28th February, 1833, and to amend the 'Act making provision for organizing and maintaining common schools,' approved 26th February, 1841."

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act to amend 'An act regulating mills and millers,'" was read a second time, and,

On motion of Mr. Stapp,

Referred to the committee on Internal Navigation.

House bills of the following titles, were severally read a third time and passed:

A bill for "An act to amend the charter of the city of Chicago;"

A bill for "An act organizing a school district in the county of Iroquois," and

A bill for "An act to change the name of the town of Saratoga, in the county of Union."

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Henry,

The rule of the Senate was dispensed with, to enable him to introduce the following resolution, to wit:

Resolved, That so much of the Fund Commissioner's report as relates to a State bond due John Duff & Co., be referred to the committee on Public Accounts and Expenditures, and that said committee be required to inquire whether said bond be due said Duff & Co., and that they report by resolution or otherwise.

On motion of Mr. Henry,

The rule of the Senate was further dispensed with, and the resolution adopted.

On motion of Mr. Wynne,

The vote taken on yesterday on the resolution fixing the standing hour for the meeting of the Senate at 9 o'clock, A. M., was re-considered.

On motion of Mr. Wynne,

Said resolution was laid on the table.

On motion,

The Senate adjourned.

FRIDAY, JANUARY 20, 1843.

Senate met pursuant to adjournment.

Mr. Nunnally moved a call of the Senate; which proceeded for a short time, and was then, on motion of Mr. Harris, dispensed with.

Mr. Leviston presented the petition of sundry citizens of Gallatin county, praying for the relief of Joseph Reynolds; which was read, and,

On motion of Mr. Leviston,

Referred to the committee on Internal Improvements.

Mr. Thompson presented the petition of the consistory of the Reformed Dutch Church of Vandever, in Menard county, praying that churches of that name have extended to them the same privileges as other churches in this State; also, the petition of sundry inhabitants of Charleston, in Peoria county, praying for a change in the name of said town, &c.; the reading of which was,

On motion of Mr. Thompson,

Dispensed with, and the first named petition referred to the committee on Petitions, and the last to the committee on the Judiciary.

Mr. Stapp, of the minority of the committee on Finance, to which was referred a resolution, declaring it expedient for this State to receive a distributive share of the proceeds of the sales of the public lands, under the act of Congress, made report; which was read.

On motion of Mr. Cavarly,

The rule was dispensed with, and the report of the majority of the same committee, on the same subject, was taken from the table; and,

On motion of Mr. McMurtry,

Said reports were laid on the table.

The bill reported by the committee on Finance, for "An act appropriating the ten per cent. fund to the purposes of education," coming up for consideration,

Mr. Baker moved to amend the first section of the same, by striking out the words, "the sum of twenty-nine thousand six hundred and twenty five dollars and two cents, it being ten per cent. of the nett proceeds of the sale of the public lands lying within this State, and granted to this State by the first section of an," and inserting the words, "whatever sum the State of Illinois may be entitled to receive under the" in lieu thereof.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the Senate's amendments to the resolution providing for the election of State's Attorneys.

Mr. Markley called for a division of the question, arising upon the motion of Mr. Baker, so as first to take the vote on striking out.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have adopted the following resolution, in which they ask the concurrence of the Senate.

Resolved by the House of Representatives, the Senate concurring herein, That the two Houses will not receive any new business after the 10th day of February next, and will adjourn as soon thereafter as practicable.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they are now ready to receive the Senate in the Hall of the House, to proceed to the election of State's Attorneys for the second, fourth, sixth, and seventh judicial circuits, pursuant to a joint resolution of the two houses.

Whereupon,

The Honorable the Senate, preceded by Mr. Speaker, repaired to the Representatives Hall, and the two Houses then proceeded to vote for a State's Attorney for the second judicial circuit; when the vote stood,

For William H. Underwood, 99.

Mr. Hereford, 25.

Blank, 1.

William H. Underwood having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected State's Attorney for the second judicial circuit of the State of Illinois.

The two Houses of the General Assembly then proceeded to the election of a State's Attorney for the fourth judicial circuit, when the vote stood,

| | |
|----------------------|-----|
| For Alfred Kitchell, | 68. |
| C. H. Jones, | 68. |
| Mr. Young, | 1. |

No person having received a majority of all the votes given, the two Houses again proceeded to vote for a State's Attorney for the fourth judicial circuit; when the vote stood:

| | |
|----------------------|-----|
| For Alfred Kitchell, | 72. |
| C. H. Jones, | 67. |
| Mr. Young, | 1. |

Alfred Kitchell having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected State's Attorney for the fourth judicial circuit of the State of Illinois.

On motion,

Joseph B. Wells was unanimously elected State's Attorney for the sixth judicial circuit of the State of Illinois, and so declared by the Speaker of the House of Representatives.

The two Houses then proceeded to the election of State's Attorney for the seventh judicial circuit; when the vote stood,

| | |
|-------------------|-----|
| For James Curtis, | 59. |
| Mr. Hamilton, | 34. |
| E. B. Ames, | 25. |
| Henry Brown, | 22. |

No person having received a majority of all the votes given, the two Houses again proceeded to vote for State's Attorney for the seventh judicial circuit; when the vote stood,

| | |
|-------------------|-----|
| For James Curtis, | 77. |
| Henry Brown, | 41. |
| E. B. Ames, | 20. |
| Mr. Hamilton, | 2. |

James Curtis having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected State's Attorney for the seventh judicial circuit of the State of Illinois.

Whereupon,

The Senate returned to their Chamber, and,

On motion, adjourned.

SATURDAY, JANUARY 21, 1843.

Senate met pursuant to adjournment.

Mr. Davis presented the petition of sundry citizens of Hancock and Adams counties, praying to be stricken off from their respective counties, and formed into a new county; which was referred, without reading, on motion of Mr. Davis, to a select committee of five.

Ordered, That Messrs. Davis, Ralston, McMurtry, Barnett, and Crain be that committee.

A message from the House of Representatives by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform

the Senate, that they have passed a bill for "An act in relation to the revenue of 1842."

In the passage of which I am directed to ask the concurrence of the Senate.

Mr. Crain, from the committee on Engrossed Bills, reported, as correctly enrolled, a bill for "An act to incorporate the St. Charles Academy, in the county of Kane;" and that he had, on this day, laid the same before the Council of Revision, for their approval.

Mr. Harrison, from the committee on Internal Navigation, to which was referred a bill from the House of Representatives, for "An act to authorize the erection of a bridge across Rock river;" reported the same back to the Senate, with an amendment; which amendment was concurred in, and said bill, as amended,

Ordered to a third reading.

Mr. Ralston, from the committee on Finance, to which was referred a bill for "An act for the relief of Calvin Gould," reported the same back, with an amendment; which amendment was concurred in, and said bill, as amended,

Ordered to be re-engrossed, and put upon its passage.

Mr. Davidson, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives, for "An act organizing a school district in Vermillion county, and authorizing the sale of school lands therein," reported the same back, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Harrison, from the committee on Internal Navigation, to which was referred a bill for "An act to authorize John Vanfleet to build a dam across Fox river," reported the same back, without amendment, and recommended its passage.

Ordered to be engrossed and read a third time.

Mr. Cavarly, from the committee on Public Accounts and Expenditures, to which was referred a resolution, offered by Mr. Henry, referring a portion of the Fund Commissioner's report to that committee, reported the following resolution:

Resolved by the Senate, the House of Representatives concurring herein, That the Fund Commissioner be, and he is hereby authorized to deliver to John Duff and Co., one bond of \$1000, in full satisfaction of their contract for completing the railroad from Springfield to Jacksonville, and that said Duff & Co. receipt the contract, and surrender the same to the Fund Commissioner, to be filed in his office.

On motion of Mr. Baker,

The rule was dispensed with, and said resolution considered and adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Parker, from the committee on Public Roads, to which was referred a bill from the House of Representatives, for "An act to change part of a turnpike road in Hancock county," reported the same back to the Senate, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Parker, from the same committee, to which was referred a bill for "An act to locate a State road in Hancock county," reported the same bill, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Nunnally, from the committee on Public Buildings, to which was referred a bill for "An act to amend the several laws in relation to the trial of the right of property before justices of the peace," reported the same bill to the Senate, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Senate bill for "An act appropriating the ten per cent. fund to the purposes of education," as proposed to be amended by Mr. Baker, coming up for consideration, and the question being upon striking out certain words from the first section of said bill,

Mr. Dougherty moved that the Senate adjourn to 2 o'clock, P. M.

Mr. Davis moved that the Senate adjourn; which was not agreed to; and On the question—"Will the Senate adjourn to 2 o'clock, P. M.?"

It was decided in the affirmative.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question pending at the adjournment, being upon the motion of Mr. Baker to amend the first section of the bill for "An act appropriating the ten per cent. fund to the purpose of education," by striking out, the same was put, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Davidson, Dougherty, Evans, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Slocumb, Smith, Stapp, Vandeventer, Waters, and Worthington—18.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Feaman, Harris, James, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Thompson, Warren, and Wynne—19.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Crain, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, Henry, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Worthington, and Wynne—37.

On motion of Mr. Cavarly,

The order of business was suspended, and bills for "An act to provide for the completion of the Illinois and Michigan Canal," and for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the canal debt," were taken from the table and referred to committee of the whole Senate.

On motion,

The Senate adjourned.

MONDAY, JANUARY 23, 1843.

Senate met pursuant to adjournment.

The following message was received from the House of Representatives by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the joint select committee conference, in their report upon the disagreeing vote of the two Houses on the amendments of the Senate to a bill for "An act to diminish the State debt, and to put the State Bank into liquidation."

Mr. Speaker laid before the Senate a communication from the Public Printer, in answer to a resolution of the Senate, relative to the costs of printing the reports of the General Assembly &c.; which was read, and

On motion of Mr. Cavarly,

Was referred to the committee on Finance.

On motion of Mr. Cavarly,

The committee of the whole Senate, was discharged from the consideration of a bill for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the Canal debt," and,

On motion of Mr. Cavarly,

Referred to the committee on Canal and Canal Lands.

Mr. Smith presented the petition of 108 citizens of Madison county, praying for the passage of an act to save the real estate of Jacob Power deceased, from escheating to the State, and that it secure the same to the widow of the deceased; which was read, and,

On motion of Mr. Smith,

Referred to the committee on the Judiciary.

Mr. Hoard presented the petition of the Mechanics' Institute of Chicago, the reading of which was,

On motion of Mr. Hoard,

Dispensed with, and referred to the committee on Canal and Canal Lands.

Mr. Thompson presented the petition of J. Root and others, upon the subject of the Judiciary, the reading of which was,

On motion of Mr. Thompson,

Dispensed with, and said petition, was referred to the committee on the Judiciary.

Mr. Thompson presented the petition of J. Root and others, relative to State indebtedness, the reading of which was,

On motion to Mr. Thompson,

Dispensed with, and said petition referred to the committee on Finance.

Mr. Cavarly presented the petition from Greene county, praying the farms lying within the limits of the corporations of this State be exempt from double taxation; also, the petition to repeal the law organizing corporations, the reading of which was,

On motion of Mr. Cavarly,

Dispensed with, and the first of said petitions was referred to the committee on Finance, and the second to the same select committee which has in charge a bill in relation to incorporations.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and a bill from the House

Representatives for "An act in relation to the revenue of 1842," was taken up, and read a first time, and
Ordered to a second reading.

On motion of Mr. Cavarly,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

Mr. Parrish moved to refer the bill to the committee on Finance.

On motion of Mr. Vandeventer,

The motion to refer was amended by adding the following instructions, to wit:

"To report to the Senate, first, the amount necessary to defray the ordinary current expenses of the year 1842 and 1843; and second, the amount which will probably be received by virtue of the rate of taxation proposed in the bill referred; third, to amend the bill so as to provide for the collection of revenue in the several counties where no collector will go, or where the collector shall neglect or fail to collect the revenue."

The question was then taken on referring the bill to the committee on Finance, with the before mentioned instructions, and decided in the affirmative.

Mr. Hoard, from the committee of conference upon the disagreeing vote of the two Houses, upon certain amendments to the House bill for "An act to diminish the State debt, and to put the State Bank into liquidation," made the following report, to wit:

"The committee of conference, appointed by the Senate and House, upon their disagreeing votes upon certain amendments to the House bill for "An act to diminish the State debt, and put the State Bank into liquidation," have had the matter of difference between the two Houses, under consideration, and respectfully recommend the following as the result of their conference:

That the second and third amendments of the Senate to the eighth section of the House bill, be so modified that on the renewal of all bills discounted due the bank, the rate of interest shall be reduced to six per cent. by the consent of the bank, so that all constitutional objections may be obviated.

That the Senate recede from its second amendment, to the tenth section of the House bill.

That the amendment of the Senate, consisting of the addition of the eleventh section to the House bill, be so modified in the form of the certificate, that such certificate shall not draw interest.

To accomplish the foregoing recommendations, the committee propose the following amendments and modifications of amendments, instead of those submitted to the consideration of the committee of conference, and ask the concurrence of the Senate therein.

Amend the eighth section by striking out the fourth line and the fifth line to the word "said," and insert after the word "months," in the third line, as follows:

"*Provided*, that in case the bank shall become subject to the operation of this act, the bank shall not in any case charge more than six per cent. interest, upon the renewal of any bill discounted; *And provided further*,

that the times of renewal and payment shall not be changed except with the consent of the debtor, and that the."

That the Senate recede from its second amendment to the tenth section of the House bill.

Amend section sixteen, to read as follows:

"Sec. 16. The certificates to be issued under the provisions of this act shall be in the following form:

"This certificate for dollars and cents, will at all times be received by the State Bank of Illinois, in payment of any debt due to the bank, and for any property which the bank may have for sale. It will also entitle the bearer to the proper proportion of all dividends which may be made to the creditors of the bank.

President.

Cashier."

Previous to the question being put on concurring with the committee conference in their report, Mr. Crain presented a bill for "An act to appoint bank commissioners, and to wind up insolvent banks," and desiring that the same might be read; objections having been made to the reading of said bill, the question was then put and decided in the affirmative, the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Crain, Davis, Dougherty, Evans, Feamster, Henry, James, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Ralston, Thompson, Vandeventer, Warren, Worthington, and Waters—21.

Those who voted in the negative, are,

Messrs. Buford, Cavarly, Davidson, Fithian, Harrison, Hoard, Johnson, Killpatrick, Matteson, McMurtry, Ruggles, Slocumb, Smith, Stapp, and Waters—15.

The bill was accordingly read.

The question was then taken on concurring with the committee conference in their report, and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cavarly, Davidson, Dougherty, Evans, Feamster, Fithian, Harrison, Hoard, Johnson, Killpatrick, Leviston, Matteson, McMurtry, Minard, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Waters, and Worthington—24.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Davis, Henry, James, Markley, Nunnally, Parker, Parrish, Ralston, Warren, and Wynne—13.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Buford, from the select committee, to which was referred the grossed bill for "An act in relation to burying grounds, church yards, and lands used by literary institutions," reported the same back to the Senate with amendments; which amendments Mr. McMurtry moved to amend adding thereto the following:

"Provided, the same shall not exceed six hundred forty acres."

Mr. Henry moved to refer the bill and amendments, and amendment to amendments, to the committee on Incorporations.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, to wit:

A bill for "An act to authorize the county court of Lawrence county, to build a stone pier under the bridge across the Embarrass river, at the town of Lawrenceville;"

A bill for "An act to amend an act entitled 'An act disposing of the public property at Vandalia, and for other purposes;'"

A bill for "An act to establish a ferry therein named;"

A bill for "An act to amend an act entitled 'An act to locate and change certain State roads,' approved February 27, 1841;"

A bill for "An act in relation to the Cumberland road;"

A bill for "An act to change the name of Lucy Robinson;"

A bill for "An act to legalize the assessment of Wm. Moore of St. Clair county, for the year 1841;"

A bill for an "An act to authorize Benjamin B. Gates and David Highy, to extend their mill-dams on the rapids of the Mississippi river;"

A bill for "An act to repeal an act entitled 'An act to regulate foreign insurance company agencies established in the State of Illinois, and for other purposes;'"

A bill for "An act to provide for the payment of the interest on the school, college and seminary fund;"

A bill for "An act amending the several acts relating to attachments;"

A bill for "An act concerning evidence in certain cases;"

A bill for "An act applying the bonus of Bond county to the school fund of said county," and

A bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties in this State,' approved February 26, 1841."

In the passage of which bills they ask the concurrence of the Senate.

On motion of Mr. Buford,

The order of business was suspended, and the bill for "An act in relation to burying grounds, church yards and lands used by literary institutions," as proposed to be amended, was taken up, when,

Mr. Henry withdrew his motion to refer said bill and amendments to the committee on Incorporations.

The question was then taken on the adoption of the amendment proposed by Mr. McMurtry, to the amendments reported by the select committee to said bill, and decided in the affirmative.

Mr. Ruggles moved further to amend the amendments reported by said committee, by adding thereto the following:

"*Provided*, said six hundred and forty acres, shall not include within its limits any part of any town, city, or village plat;" which was,

On motion of Mr. Parker,

Laid on the table.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have adopted the accompanying memorial; addressed to the Congress of the United States, praying the passage of a law reducing the postage on letters, in the adoption of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of a bill for "An act to incorporate the Peoria Water company," as amended by them, in which amendments they ask the concurrence of the Senate.

They have also concurred with the Senate in the passage of bills of the following titles:

A bill for "An act to re-locate First street, in the town of St. Charles in Kane county;"

A bill for "An act to increase the number of justices of the peace, in the justices' districts therein named;"

A bill for "An act legalizing certain records in Greene county; and authorizing recorders to appoint deputies in certain cases;"

A bill for "An act to change the name of Lavinia Joliff and Hannah Clark;"

A bill for "An act for the location of a State road in the counties of Monroe and St. Clair;"

A bill for "An act to locate a State road from Utica to Killa's landing in Fulton county;" and

A bill for "An act relative to the roof of the State House."

Mr. Parker made a motion to lay the amendments, reported by the select committee to the bill under consideration, on the table, and the question being taken thereon, it was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Crain, Dougherty, Evans, Feaman, Hoard, James, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Vandeventer, Warren, Waters, and Wynne—22.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cavarly, Davidson, Davis, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, Smith, Stapp, and Thompson—14.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Davis,

The order of business was suspended, to enable him to present the petition of sundry militia officers and citizens of Hancock county, praying that the militia law be amended, and a portion of a certain road law repealed; which petition was read, and,

On motion of Mr. Davis,

Referred to the committee on Military Affairs.

A message from the House of Representatives, by Mr. Ewing, their Clerk, was received:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed bills of the following titles, in the passage of which they ask the concurrence of the Senate:

A bill for "An act to authorize the county commissioners of Lee county to lease certain rooms," and

A bill for an act entitled "An act in relation to the bridge across Shoal creek, in Clinton county."

Senate bill for "An act for the relief of Calvin Gould," as re-engrossed, coming up for consideration, the question was put—"Shall the bill pass?" and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Davidson, Davis, Feaman, Harrison, Hoard, James, Killpatrick, Leviston, Markley, Matteson, Minard, Parker, Ralston, Ruggles, Slocumb, Stapp, Thompson, Vandeventer, and Waters—23.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Dougherty, Evans, Fithian, Johnson, McMurtry, Nunnally, Parrish, Smith, Warren, and Wynne—12.

Ordered, That the title be as as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bills of the following titles:

A bill for "An act in relation to judgments and executions," and

A bill for "An act to authorize John Van Fleet to build a dam across Fox river," were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Buford moved that the Senate adjourn; which was not agreed to.

Engrossed bill for "An act appropriating the ten per cent. fund to the purpose of education," was read a third time, and

On the question—"Shall the bill pass?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Feaman, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Wynne—35.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act to repeal all laws authorizing the payment of a bounty on wolf scalps, was read a third time, and,

On the question—"Shall the bill pass?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Davidson, Feaman, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Markley, Matte-

son, Minard, Parrish, Ralston, Slocumb, Smith, Stapp, and Thompson—22.

Those who voted in the negative, are,

Messrs. Crain, Dougherty, Evans, Leviston, McMurtry, Nunnally, Parker, Ruggles, Vandeventer, Warren, Waters, and Wynne—12.

Mr. Fithian moved to amend the title of the bill by striking it out and adopting the following instead thereof:

A bill for "An act to insure the payment of a bounty on wolf scalps by the county commissioners' courts."

Mr. Cavarly moved to amend the amendment proposed by Mr. Fithian, by striking it out, and adopting the following instead thereof:

A bill for "An act authorizing counties to give a bounty on wolf scalps."

Mr. Catlin moved to lay the amendments on the table.

Mr. Cavarly called for a division of the question.

The question was then put, on laying the amendment to the amendment, to the title, on the table, and decided in the negative; and said amendment to the amendment was adopted.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Dougherty.

The order of business was suspended, and a bill taken from the table for "An act concerning corporations," as amended on the proposition of the committee on the Judiciary.

Mr. Waters moved to strike out all after the enacting clause of said bill, and add the following, in lieu of the part stricken out:

"That the act entitled 'An act to incorporate the city of Nauvoo,' approved December 16, 1840, and the act entitled 'An act to incorporate the Nauvoo Agricultural and Manufacturing Association in the county of Hancock,' approved February 27, 1841; also, the act entitled 'An act to incorporate the Nauvoo House Association,' approved February 23, 1841, be and the same are hereby repealed."

On motion,

The Senate adjourned.

TUESDAY, JANUARY 24, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed bills of the following titles, to wit:

A bill for "An act to revise the laws, and to condense them in one volume;"

A bill for "An act to legalize the acts of certain officers therein named;"

A bill for "An act for the relief and benefit of Richland county;"

A bill for "An act to authorize county commissioners to lease certain rooms;"

A bill for "An act for the settlement of the internal improvement fund between the counties of Clay and Richland;"

A bill for "An act to authorize the school commissioners of Clay county to settle with the school commissioners of Richland county;"

A bill for "An act for the relief of Harrison W. Higgs;"

A bill for "An act in relation to the distribution of the laws and documents of the Congress of the United States;"

"An act to authorize Henry W. Singleton to build a mill-dam across Crab Orchard creek," and

"A bill to refund to Daniel D. Bush, certain money wrongfully paid into the treasury."

In the passage of which bills they ask the concurrence of the Senate.

Mr. Minard presented the petition and remonstrance of sundry citizens of Kane county, praying for the removal of the county seat, the reading of which was,

On motion of Mr. Minard,

Dispensed with, and said petition and remonstrance, was referred to the committee on Counties.

Mr. Harrison presented the petition of Thomas Drum, accompanied with a copy of record of Drum against Shields, Auditor, &c., the reading of which was,

On motion of Mr. Harrison,

Dispensed with and referred to the committee on Finance.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act requiring officers to issue and execute process," reported the same back without amendment and recommended its passage.

The bill was ordered to be engrossed for a third reading.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to amend 'An act in relation to garnishees,' approved February 12, 1839; and, also, to amend 'An act concerning attachments,' approved February 12, 1833; also to amend 'An act to regulate proceedings by attachments before justices of the peace' passed February 27, 1837," reported the same back with an amendment.

The Senate concurred with the committee in their amendment to the bill.

On motion of Mr. Parker,

The bill was laid on the table.

Mr. Dougherty, from the committee on Incorporations, reported a bill for "An act to district the State for the purposes of electing Representatives to the Congress of the United States," which was read the first time, and

Ordered to a second reading.

Mr. Davidson, from the committee on School Lands and Education, to which was referred a petition of sundry citizens, residents of township No. 9 south, in range 7 east, situated in Gallatin county, &c., reported the same back and asked to be discharged from the further consideration of the petition; which was agreed to.

On motion of Mr. Davidson,

Said petition was laid on the table.

Mr. Thompson, from the committee on the Judiciary, to which was referred a certain petition, reported a bill for "An act to correct the record of the plat of the town of Charleston, Peoria county, and to change the name thereof;" which was read the first time, and

Ordered to a second reading.

On motion to Mr. Thompson,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Ralston, from the committee on the Judiciary, to which was referred a House bill for "An act relating to chancery practice," reported the same back to the Senate, and moved that said bill be laid on the table until the 4th day of July next; which was agreed to.

Mr. Ralston, from the committee on the Judiciary, to which was referred a House bill for "An act to amend 'An act to regulate proceedings by attachments before justices of the peace,' approved February 27, 1837," reported the same back to the Senate and recommended its rejection.

On motion of Mr. Parker,

Said bill was laid on the table.

Mr. Ralston, from the committee on the Judiciary, to which was referred a House bill for "An act authorizing Benjamin Vermilion to erect a mill-dam across Racoon creek in Clay county," reported the same back and recommended its passage.

The bill was ordered to a third reading.

Mr. Ralston, from the committee on the Judiciary, to which was referred a House bill for "An act to authorize Elijah D. Ewing to convey real estate;" reported the same back, with an amendment; which amendment was concurred in by the Senate, and the bill as amended, was

Ordered to a third reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

On motion of Mr. Ralston,

The title was amended by adding after the name of Elijah D. Ewing, the name of "William Mallory."

Ordered, That the title be as amended, and that the Secretary inform the House of the passage of said bill.

Mr. Cavarly, from the committee on Finance, to which was referred a House bill for "An act supplementary to the several acts, defining the duties of the Public Printer," reported the same back with an amendment, in compliance with the instructions of the Senate.

Mr. Cavarly moved to amend the amendment, by adding the following, to wit:

"SEC. It shall hereafter be the duty of the Secretary of State, after giving three weeks public notice in the newspapers printed in the city of Springfield, before making such contract, to contract with some responsible book binder, a citizen of the State of Illinois, who may be the lowest responsible bidder, before the commencement of each general or special session of the General Assembly, to do the folding, stitching and binding of the laws, reports and journals, in the following manner, and for no greater than the prices following, to wit:

"For folding, stitching and covering with blue paper, and cutting the edges of the journals, three and one half cents, for each one hundred pages for each volume. For folding and stitching reports, two cents for each one hundred pages for each volume. For binding laws with leather backs and paper sides, when the number of pages do not exceed one hun-

dred and fifty, twelve and one half cents for each one hundred pages; when the volume of laws contain over one hundred and fifty pages, ten cents for each one hundred pages per volume. For binding the revised laws, in case they should be revised, furnishing leather, and full bind with leather covering, law form, and done in a workman-like manner, ten cents in addition for each one hundred pages for each volume so bound. For binding the journals and reports for the Secretary's office, with leather backs and paper sides, the same price as allowed for the laws in half binding.

"**SEC.** So much of the first section of the act providing for the binding the laws and journals, approved January 31, 1840, as conflicts with the provisions of this act, is hereby repealed."

Mr. Davis moved to lay the amendment to the amendment, on the table; which was decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Davis, Henry, Parker, Parrish, Ralston, and Smith—6.

Those voting in the negative, are,

Messrs. Baker, Catlin, Cavarly, Davidson, Dougherty, Evans, Fithian, Harrison, Hoard, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Nunnally, Ruggles, Slocumb, Stapp, Thompson, Warren, Waters, and Worthington—24.

The question was then taken on the adoption of the amendment to the amendment, and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cavarly, Davidson, Dougherty, Evans, Fithian, Harrison, Hoard, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Nunnally, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Worthington—27.

Those who voted in the negative, are,

Messrs. Davis, Henry, Leviston, Parker, and Parrish—5.

Mr. Ralston moved to amend the bill by striking out "500," and insert "1000" in lieu thereof.

On motion of Mr. Hoard,

The bill and proposed amendment were referred to a select committee.

Ordered, That Messrs. Hoard, Parrish, and Fithian, be that committee.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill of the following title, to wit:

"A bill for an act to incorporate the directors of the Literary and Medical College of the State of Illinois."

In the passage of which I am directed to ask the concurrence of the Senate.

Mr. Johnson, from the select committee to which was referred a bill for "An act to attach one tier of sections to the eastern boundary of Bond county," reported the same back with an amendment; which amendment was concurred in by the Senate.

The bill was then ordered to a third reading.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill for "An act concerning corporations," as amended, came up for consideration, and the question being upon the amendment of Mr. Waters, proposed on yesterday, to strike out all after the enacting clause and inserting.

On motion of Mr. Davis,

Said amendment was laid on the table until the 4th of July next, by the following vote:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Davis, Dougherty, Fithian, Harrison, James, Killpatrick, Leviston, Matteson, Minard, Parker, Ralston, Ruggles, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, and Worthington—23.

Those who voted in the negative, are,

Messrs. Crain, Davidson, Evans, Johnson, Markley, McMurtry, Parrish, and Waters—8.

On motion of Mr. Davidson,

The third section of said bill was amended, by striking out the words "ninety days," and inserting in lieu thereof, the words "twelve months."

Mr. Killpatrick moved further to amend the bill by adopting the following as an additional section:

"Sec. 5. The provisions of the fourth section of this act shall apply only to the town of Carrollton, in Greene county;" and on the question of the adoption of the amendment,

It was decided in the negative.

Mr. Killpatrick moved that the consideration of the bill be indefinitely postponed, and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Davis, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Ruggles, and Worthington—11.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Evans, Hoard, James, Leviston, Markley, Matteson, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, and Waters—23.

Mr. Henry moved to amend said bill by adding the following to the fourth section:

"*Provided*, that this act shall not apply to Morgan county."

Mr. Baker moved to amend the amendment, so as also to exclude Sangamon county from the operation of the bill; which was,

On motion of Mr. Dougherty,

Laid on the table.

On motion of Mr. Cavarly,

The amendment proposed by Mr. Henry was laid on the table.

Mr. Killpatrick moved to amend the fourth section of the bill by adding thereto, the following:

"*Provided*, that the provisions of this section shall not apply to the town of Winchester, in Scott county;" which was,

On motion of Mr. Dougherty,

Laid on the table.

Ordered, that said bill, as amended, be engrossed and read a third time.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the Senate in their amendment to the bill for "An act to authorize Elijah D. Ewing to convey real estate."

The bill from the House of Representatives for "An act to authorize the county commissioners of Lee county to lease certain rooms," was read a first time, and

Ordered to a second reading.

On motion of Mr. Buford,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On the further motion of Mr. Buford,

The rule was dispensed with, and said bill read a third time by its title.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The memorial and resolutions, from the House of Representatives, on the subject of a donation of lands, by the Congress of the United States, to aid in the construction of the Northern Cross Railroad, were read, and,

On the question of concurring with the House of Representatives in their passage,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Crain, Davis, Dougherty, Evans, Fithian, Harrison, Hoard, James, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocomb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Worthington—30.

Those who voted in the negative, are,

Messrs. Killpatrick and Ruggles—2.

Ordered, that the Secretary inform the House of Representatives thereof.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled, and that he had on this day laid before the Council of Revision for their approval, bills of the following titles, namely:

"An act legalizing certain records in Greene county, and authorizing recorders to appoint deputies in certain cases;"

"An act for the location of a State road in the counties of St. Clair and Monroe;"

"An act to re-locate First street, in the town of St. Charles, in Kane county;"

"An act to locate a State road from Utica to Killa's landing, in Fulton county;"

"An act relative to the roof of the State House."

"An act to increase the number of justices of the peace, in the justices' districts therein named;"

"An act to change the name of Lavinia Joliff and Hannah Clark;"

On motion of Mr. Dougherty,

The order of business was suspended, to enable him to offer the following:

Resolved, That Charles Whitney, Esq., Professor of Elocution, be allowed to use the Senate Chamber, on Monday, Wednesday, and Friday evenings of each week, to give lectures on elocution and oratory.

On motion of Mr. Dougherty,

The rule requiring resolutions to lie one day on the table, was dispensed with, and the resolution considered, and

On the question of its adoption,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Davis, Dougherty, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, Matteson, McMurtry, Parker, Ruggles, Stapp, and Worthington—18.

Those who voted in the negative, are,

Messrs. Catlin, Evans, Hoard, James, Markley, Minard, Nunnally, Parrish, Ralston, Slocumb, Smith, Thompson, Vandeventer, Warren, and Waters—15.

The preamble and resolutions from the House of Representatives, instructing and requesting our delegation in Congress on the subject of the north-western boundary, were read, and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The preamble and resolutions, from the House of Representatives, instructing our Senators and requesting our Representatives in Congress, to use their exertions to procure the passage of a permanent pre-emption law, were read, when

Mr. Warren moved that they be referred to the committee on Retrenchment; which was not agreed to, and

On the question—"Will the Senate concur with the House of Representatives in their adoption?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Evans, Hoard, James, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Thompson, Vandeventer, Warren, and Waters—23.

Those who voted in the negative, are,

Messrs. Baker, Fithian, Harrison, Henry, Killpatrick, and Worthington—6.

Ordered, That the Secretary inform the House of Representatives thereof.

The resolution from the House of Representatives, empowering the joint select committee, appointed to investigate the affairs of the Fund Commissioners, to send for persons and papers, and to swear witnesses, was read, and,

On motion of Mr. Dougherty,

Laid on the table.

Senate bill for "An act to incorporate the Peoria Water Company," as amended by the House of Representatives, coming up for consideration,

On motion of Mr. Thompson,

The same was laid on the table.

Mr. Crain moved that the Senate adjourn; which was not agreed to.

The bill from the House of Representatives for "An act for the relief of persons therein named," was read a first time, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and the bill was read a second time by its title, and

On motion of Mr. Ralston,

Referred to the committee on Canal and Canal Lands.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 25, 1843.

Senate met pursuant to adjournment.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a written communication.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, to wit:

A bill for "An act authorizing the construction of a toll bridge across Rock river," and

A bill for "An act for the protection of sheep and wool growers, and for other purposes."

In which they ask the concurrence of the Senate.

Mr. Speaker announced that the communication just received from the Governor was upon executive business, and would be acted upon with closed doors.

The communication was read, and is as follows:

EXECUTIVE DEPARTMENT,

Springfield, Jan. 25, 1843.

The Hon. the Senate:

I nominate Norman H. Purple, Esquire, of Peoria, to be Bank Commissioner, under the provisions of an act entitled "An act to diminish the State debt, and to put the State Bank into liquidation," approved Jan. 24th, 1843.

THOMAS FORD.

Mr. Vandeventer moved that the Senate do now advise and consent to the above nomination; which was agreed to.

On motion of Mr. Davidson,

The injunction of secrecy was removed.

Those who voted in the affirmative, upon the motion of Mr. Vandeventer, are,

Messrs. Baker, Buford, Catlin, Cavarly, Davidson, Davis, Dougherty, Evans, Fithian, Harrison, Hoard, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Ralston, Rug-

gles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Worthington—32.

Those who voted in the negative, are,
Messrs. Barnett, and Crain—2.

Mr. Speaker laid before the Senate a special report from the Treasurer of State, on internal improvement property, &c.; which was read, and,

On motion of Mr. Fithian,

Referred to the committee on Internal Improvements.

Mr. Ryan, from the committee on Canal and Canal Lands, to which was referred a bill from the House of Representatives, for "An act for the relief of the persons therein named," reported the same back to the Senate, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Dougherty, from the committee on Incorporations, to which was referred a bill for "An act to incorporate the city of Peoria," reported the same back, with amendments.

Mr. Killpatrick called for a division of the question upon concurring with the report of the committee in their amendments, so as to take the vote first upon striking out the third section of the bill as proposed by the committee.

On motion of Mr. Thompson,

The third section was amended, by adding the words, "*Provided, that the limits of said corporation shall not exceed one mile square.*"

The question was then taken on striking out the third section, and decided in the negative.

The remaining amendments, reported by said committee to the bill, were then concurred in.

Ordered, that the bill, as amended, be engrossed and read a third time.

Mr. Slocumb, from the committee on Salines and Saline Lands, to which was referred a bill for "An act to amend act entitled 'An act to authorize the sale of the Saline lands in Bond county,'" reported the same back to the Senate, with an amendment; which amendment was,

On motion of Mr. McMurtry,

Amended in the second section, by inserting after the words "commissioners as aforesaid," the words "or their successors in office."

On the question—"Will the Senate concur in the amendment reported by the committee, as amended?"

It was decided in the affirmative.

Ordered that said bill be engrossed and read a third time.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate, that they have approved bills of the following titles, to wit:

"An act to increase the number of justices of the peace in the justices' districts therein named;"

"An act relative to the roof of the State House;"

"An act for the location of a State road in the counties of Monroe and St. Clair;"

"An act to re-locate First street, in the town of St. Charles, in Kane county;"

"An act to change the names of Lavinia Joliff and Hannah Clark;"

"An act to legalize certain records in Greene county, and authorizing recorders to appoint deputies in certain cases," and

"An act to locate a State road from Utica to Killsa's Landing, in Fulton county."

Mr. Parker, from the committee on Public Roads, to which was referred a petition of sundry citizens of Mason county, reported a bill for "An act to establish a State road therein named;" which was read, and

Ordered to a second reading.

Mr. Worthington, from the committee on Internal Navigation, to which was referred a bill from the House of Representatives, for "An act to amend 'An act to provide for the establishment of ferries, toll bridges, and turnpike roads,' approved February 12, 1837;" reported the same back, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Stapp, from the committee on Finance, to which was referred a bill for "An act to increase the per diem pay of grand and petit jurors, and to allow them mileage," reported said bill back to the Senate, with an amendment; which was concurred in.

Mr. Crain moved to amend the first section, by adding thereto the following:

"*Provided always*, that the several county courts shall first approve of allowing such compensation."

Mr. Davidson moved that the whole subject be postponed.

Mr. Warren moved a call of the Senate; which progressed for some time, and was, on motion of Mr. Parker, dispensed with.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Engrossed bills of the following titles:

A bill for "An act concerning corporations;"

A bill for "An act requiring officers to issue and execute process," and

A bill for "An act to correct the record of the plat of the town of Charleston, Peoria county, and to change the name thereof," were severally read a third time and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act to attach one tier of sections to the western boundary of Bond county," was also read a third time and passed.

On motion of Mr. Johnson,

The title of said bill was amended, by striking out all after the word "to," and adding in lieu thereof the words "extend the limits of Bond county."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed bills of the following titles:

A bill for "An act to repeal a part of the act entitled 'An act to amend an act to incorporate the city of Chicago,' approved Feb. 27, 1841;"

A bill for "An act to exempt certain articles from execution;"

A bill for "An act to locate a State road from Quincy, in Adams county, to Augusta, in Hancock county;"

A bill for "An act to amend an act entitled 'An act to incorporate the Union Agricultural Society;'"

A bill for "An act to regulate weights and measures;"

A bill for "An act to locate a State road from Belvidere to Little Fort;"

A bill for "An act to authorize the common council of the city of Chicago to straighten Madison street, in said city;"

A bill for "An act to legalize certain proceedings of the trustees of schools for township thirty-three north, range three east, and for other purposes;"

A bill for "An act to vacate a part of the town plat of Philip Flagler's addition to the town of Tremont, in the county of Tazewell, and authorizing the owners of blocks to close the streets;"

A bill for "An act to provide for dividing the several counties in this State into county commissioners' districts;"

A bill for "An act to vacate the town plat of the town of Reedfield;"

A bill for "An act supplementary to 'An act authorizing Henry W. Cleaveland to build a bridge across the Winnebago Swamp;'"

A bill for "An act for the formation of the county of Okaw;"

A bill for "An act to incorporate the city of Metropolis, in Johnson county;"

A bill for "An act to incorporate the Monticello Female Seminary;"

A bill for "An act to amend an act entitled 'An act to regulate the interest on money,' approved 28th February, 1833;"

A bill for "An act to vacate a part of Sampson's, Harris', and Leslie's addition to the town of Tremont;"

A bill for "An act to regulate elections for Senator and Representative of Richland and Clay counties," and

A bill for "An act to authorize the removal of the seat of justice of McHenry county;"

In the passage of which bills they ask the concurrence of the Senate.

A bill for "An act to authorize the Governor to appoint commissioners of deeds," was read a second time, and

Ordered to be engrossed for a third reading.

A bill for "An act to district the State for the purpose of electing representatives to the Congress of the United States," was, on motion, read a second time by its title, and,

On motion of Mr. Dougherty,

Amended, by adding "Wayne" to the counties which, by the first section, compose the second district.

On motion of Mr. Stapp,

"Henderson" was inserted between "Warren" and "Knox."

Mr. Davis moved to amend the bill by striking "Stark" and "Peoria" from the counties composing the seventh district, and insert them among those composing the sixth district.

Mr. Warren moved a call of the Senate; which proceeded for some time, and was, on motion of Mr. Stapp, dispensed with.

Mr. Slocumb moved to refer the bill and amendment to the committee on Elections; which was not agreed to.

Mr. Markley moved that the bill be referred to the joint select committee of twenty-seven.

Mr. McMurtry moved to lay the bill and amendment on the table; which was not agreed to.

Mr. Ralston moved that the bill be referred to a committee of the whole Senate, and made the special order for to-morrow at 2 o'clock P. M.; and the question being taken on the motion of Mr. Ralston,

It was decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Catlin, Crain, Evans, Hoard, James, Markley, McMurtry, Minard, Nunnally, Parker, Ralston, Slocumb, Thompson, Vandeventer, Warren, and Waters—16.

Those voting in the negative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Davis, Dougherty, Fithian, Henry, Johnson, Killpatrick, Leviston, Matteson, Ruggles, Smith, Stapp, and Worthington—16.

The Chair voted in the affirmative.

On motion of Mr. Ralston,

The order of business was suspended, to enable the committee on Finance to make a report.

Mr. Ralston, from the committee on Finance, to which was referred a bill from the House of Representatives, for "An act in relation to the revenue of 1842," made report, asking the concurrence of the Senate in an amendment to said bill.

Mr. Baker moved to amend said amendment in the first section, by inserting after the words "gold and silver," the words "or the notes of specie paying banks."

Mr. Markley moved a call of the Senate, which proceeded a short time, and was, on motion of Mr. Baker, dispensed with.

The question was then taken on Mr. Baker's motion to amend, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Crain, Dougherty, Fithian, Henry, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Warren, and Worthington—12.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Davis, Evans, Hoard, James, Leviston, Markley, Matteson, Minard, Nunnally, Ralston, Slocumb, Stapp, Thompson, and Vandeventer—18.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 26, 1843.

Senate met pursuant to adjournment.

Mr. Cullom presented the petition of sundry citizens of Tazewell county praying the annexation of a portion of said county of Tazewell to the county of Woodford; the reading of which was dispensed with, and,

On motion of Mr. Cullom,

Referred to the committee on Counties.

Mr. Cullom presented the petition of sundry citizens of Woodford county praying the annexation of a portion of Tazewell to the county of Woodford; the reading of which was dispensed with, and,

On motion of Mr. Cullom,

Referred to the committee on Counties.

Mr. Ryan presented the petition of Louis Parod and others, of Ottawa praying for the donation of a canal lot for the erection of a church; the reading of which was dispensed with, and,

On motion of Mr. Ryan,

Referred to the committee on Canal and Canal Lands.

Mr. Parker, from the committee on Public Roads, to which was referred the petition of Henry Wigginton, reported a bill for "An act to enable Henry Wigginton to establish a ferry on the Illinois river;" which was read a first time, and

Ordered to a second reading.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed a bill for "An act to repair the damage occasioned by the destruction of the records and public documents of Jackson county."

In the passage of which I am directed to ask the concurrence of the Senate.

Mr. Ralston, from the committee on Finance, to which was referred a communication from the Governor, transmitting correspondence between the Governor, Auditor and Fund Commissioner, and the State Bank of Illinois, reported the same back, and asked and obtained leave to be discharged from its further consideration.

On motion of Mr. Ralston,

Said communication was laid on the table.

Mr. Ralston, from the committee on the Judiciary, to which was referred a resolution requiring the committee on the Judiciary to inquire into the expediency of increasing the number of judicial circuits, &c., asked and obtained leave to be discharged from the further consideration of the same.

On motion of Mr. Ralston,

Said resolution was laid on the table.

Mr. Ralston, from the same committee, to which was referred a resolution instructing the committee on the Judiciary to inquire into the expediency of providing by law for the preservation and safe keeping of all the field notes, &c. appertaining to land titles, reported a bill for "An act to establish a Surveyor General's office;" which was read, and

Ordered to a second reading.

Mr. Ralston, from the same committee, to which was referred a resolution instructing the committee on the Judiciary to inquire as to attachment laws, reported the same back, and asked and obtained leave to be discharged from its further consideration.

On motion of Mr. Markley,

Said resolution was laid on the table.

Mr. Ralston, from the same committee, to which was referred a resolution instructing the committee on the Judiciary to report a bill extending time to collectors, reported the same back to the Senate, and asked and obtained leave to be discharged from its further consideration.

On motion of Mr. Cullom,

Said resolution was laid on the table.

On motion of Mr. Ryan,

The rule of the Senate was dispensed with, and a bill from the House of Representatives for "An act for the relief of the persons therein named," was taken up, read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and a bill from the House of Representatives for "An act for the formation of the county of Okaw," was taken up, and,

On motion of Mr. Warren,

The rules of the Senate were further dispensed with, and said bill read a first and second times by its title, and referred to a select committee.

Ordered, That Messrs. Warren, Parker, and Barnett be that committee.

Mr. Nunnally offered for adoption the following resolution, which, according to the rule, lies one day on the table:

Resolved, That the committee on Finance be requested to ascertain whether the State has any available funds, and if any, what amount and kind, that can be appropriated to the further completion or repairing of the State House, and that they report by bill or otherwise.

Mr. Vandeventer offered for adoption the following resolution, which, according to the rule, lies one day on the table:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of consolidating the recorder's office with the clerk's office of the county commissioners' court, and whether the fees of each might not be considerably diminished; and that they report by bill or otherwise.

Mr. Johnson introduced a bill for "An act for the benefit of minor heirs;" which was read, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Baker offered for adoption the following resolution; which, under the rule, lies one day on the table.

Resolved, That the Springfield Band be allowed the use of the Senate Chamber on Saturday evening next at seven o'clock.

On motion of Mr. Baker,

The rule was dispensed with, and the resolution taken up and adopted.

Mr. Johnson introduced a bill for "An act to make judgments a lien from the date of the issuing of the *capias*;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Henry introduced a bill for "An act to amend an act entitled 'An act supplemental to the charter of the Springfield and Alton turnpike

road company,' approved Feb. 27, 1841;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Henry,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Speaker laid before the Senate, the communication just received:

On motion of Mr. Hoard,

The same was acted upon with open doors, and was read as follows:

EXECUTIVE DEPARTMENT,
Springfield, January 23, 1843.

To the Honorable the Senate:

I nominate Henry Brown to be Notary Public for the city of Chicago, in the county of Cook, in place of Walters Kimball, removed from the State.

THOMAS FORD.

Mr. Cavarly moved that the Senate do now advise and consent to the above nomination; which was agreed to.

A bill for "An act to increase the per diem pay of grand and petit jurors, and to allow them mileage," coming up for consideration, as proposed to be amended by Mr. Crain, and the question pending being upon the motion of Mr. Davidson to indefinitely postpone the whole subject, the same was put, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Davidson, Fithian, Johnson, Killpatrick, and Slocumb—6.

Those who voted in the negative, are,

Messrs. Buford, Cavarly, Crain, Cullom, Davis, Evans, Harris, Harrison, Henry, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeventer, Warren, Waters, Worthington, and Wynne—28.

Mr. Vandeventer moved to amend the amendment, offered by Mr. Crain, by adding thereto the following:

"*Provided*, that in case the county commissioners' court shall not approve, as aforesaid, the said jurors and talesmen shall be allowed seventy-five cents per day and mileage."

Mr. Davis moved to lay the amendment, and the amendment to the amendment, on the table; which was decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Davis, Evans, Harris, Harrison, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Ralston, Ruggles, Ryan, Stapp, Warren, Waters, and Wynne—21.

Those who voted in the negative are,

Messrs. Crain, Cullom, Davidson, Fithian, Henry, Johnson, Killpatrick, Nunnally, Slocumb, Thompson, Vandeventer, and Worthington—12.

Mr. Cavarly moved to amend the bill, by striking out all after the enacting clause, and inserting the following:

"That it shall be the duty of the county commissioners' court of the several counties in this State, at their March term, 1843, or at any regular term of said court thereafter, to enter upon the records of said court, an order, making such allowance for grand and and petit jurors, not less than seventy-five cents, nor more than one dollar and fifty cents per day for each day attending any term of the circuit court, and mileage of five cents per mile, to be computed for one way only, any law to the contrary notwithstanding."

Mr. Parker moved to lay the amendment offered by Mr. Cavarly on the table; and the question being taken thereon, it was decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Davis, Harris, Hoard, James, Matteson, McMurtry, Minard, Nunnally, Parker, Ruggles, Ryan, Stapp, Thompson, Vandeventer, and Waters—17.

Those who voted in the negative, are,

Messrs. Cavarly, Crain, Cullom, Davidson, Evans, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, Markley, Ralston, Slocumb, Warren, and Worthington—16.

Mr. Worthington offered the following amendment:

"County courts to allow such compensation as they may think proper, not exceeding ten dollars, nor less than fifty cents per day, and such mileage as they may deem just."

Mr. Davis moved to lay the amendment offered by Mr. Worthington on the table; which was decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Davis, Harris, Hoard, James, Killpatrick, Matteson, McMurtry, Minard, Nunnally, Parker, Ruggles, Ryan, Stapp, Vandeventer, Warren, and Waters—17.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Cullom, Davidson, Evans, Fithian, Henry, Johnson, Leviston, Markley, Ralston, Slocumb, Thompson, and Worthington—15.

Mr. Vandeventer moved to amend the first section of the bill, by striking out the words "one dollar," and inserting in lieu thereof the words "seventy-five cents;" which was,

On motion of Mr. Parker,

Laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Crain, Davis, Evans, Harris, Harrison, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Ruggles, Ry-Smith, Stapp, Warren, and Waters—20.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cavarly, Cullom, Davidson, Fithian, Henry, Johnson, Killpatrick, Ralston, Slocumb, Thompson, Vandeventer, and Worthington—14.

Mr. Worthington moved that the bill be referred to a select committee which was not agreed to.

Ordered that said bill be engrossed and read a third time.

On motion of Mr. Warren,

Leave of absence was granted to Mr. Berry, the Secretary, until Monday morning next.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Ralston,

The order of business was suspended, and a bill from the House of Representatives for "An act in relation to the revenue of 1842," and the amendment proposed to the same by the committee on Finance, were taken up, when

Mr. Vandeventer moved to amend that part of the sixth section of that amendment which relates to county revenue, by inserting after the words "proper county," the words "or such currency as the county commissioners' courts may respectively direct;" and the question being taken on this motion,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Crain, Evans, Fithian, Johnson, Killpatrick, Markley, McMurtry, Parker, Ruggles, Stapp, Thompson, Vandeventer, Warren, Waters, and Worthington—17.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cullom, Davis, Dougherty, Harris, Harrison, Henry, Hoard, James, Matteson, Minard, Nunnally, Ralston, Ryan, Slocumb, Smith, and Wynne—18.

Mr. Stapp moved to amend said amendment, reported by the committee, by striking out all that part of the sixth section which relates to cities and incorporated towns; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Cavarly, Crain, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Stapp, Warren, Waters, and Worthington—11.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Catlin, Cullom, Davis, Dougherty, Evans, Fithian, Harris, Harrison, Henry, Hoard, James, Leviston, Markley, Matteson, Minard, Nunnally, Ralston, Ryan, Slocumb, Smith, Thompson, and Wynne—24.

Mr. Dougherty moved that the vote last taken be re-considered; which was not agreed to.

Mr. Parker offered the following as an additional section to the bill:

"Sec. 8. Nothing in this act shall be so construed as to prevent the county commissioners from receiving certificates for wolf scalps in payment for county revenue, where the county commissioners may allow bounty on the same;" which was,

On motion of Mr. Davis,

Laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Davis, Dougherty, Harris, Harrison, Henry, Hoard, James, Killpatrick, Leviston, Markley, Minard, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Warren, and Worthington—23.

Those who voted in the negative, are,

Messrs. Cavarly, Crain, Evans, Fithian, Johnson, Matteson, McMurtry, Nunnally, Parker, Stapp, Vandeverter, Waters, and Wynne—13.

Mr. Killpatrick moved the previous question; and,

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

The question was then taken on concurring with the committee on Finance, in the amendment reported by them to said bill, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Davis, Dougherty, Evans, Harris, James Leviston, Markley, Nunnally, Ralston, Slocumb, Thompson, and Vandeverter—14.

Those who voted in the negative, are,

Messrs. Baker, Crain, Cullom, Davidson, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Matteson, McMurtry, Minard, Parker, Ruggles, Ryan, Smith, Stapp, Warren, Waters, Worthington, and Wynne—22.

On motion of Mr. Baker,

The bill was referred to a committee of the whole Senate.

Mr. Ralston moved that the order of business be suspended, and that the Senate do now resolve itself into a committee of the whole, to take into consideration the bill just referred; which was not agreed to.

Mr. Cavarly moved that the Senate do now resolve itself into a committee of the whole, to take into consideration the special order, to wit: the bill for "An act to district the State for the purpose of electing Representatives to the Congress of the United States;" which was not agreed to.

Engrossed bill for "An act to authorize the Governor to appoint commissioners of deeds," was read a third time, and,

On the question—"Shall the bill pass?"

It was decided in the negative.

Engrossed bill for "An act to amend an act entitled 'An act to authorize the sale of the Saline lands in Bond county,'" was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill for "An act to establish a state road therein named," was read a second time, and,

On motion of Mr. Markley,

Referred to the committee on Counties.

House bills of the following titles, were severally read a third time and passed:

A bill for "An act in relation to official bonds;"

A bill for "An act to amend an act entitled 'An act to provide for leas

ing the Saline reserves in Jackson county, and for granting pre-emption rights to certain persons therein named;"

A bill for "An act to compensate Henry Brown for services rendered as State's Attorney in the seventh judicial circuit;"

A bill for "An act to provide for the collection of the revenue due from delinquents in the county of Gallatin for the year 1841," and

A bill for "An act organizing a school district in Vermilion county, and authorizing the sale of school lands therein.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Bills from the House of Representatives:

A bill for "An act concerning the records of Jersey county," and

A bill for "An act relative to probate justices of the peace," were severally read a third time, as amended by the Senate, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments of the Senate.

Bills from the House of Representatives, of the following titles, to wit:

A bill for "An act to exempt the Shilo Meeting House tract from taxation," and

A bill for "An act for the relief of Thomas Cox," were severally read a third time, and,

On motion of Mr. Dougherty,

Laid on the table until the 4th of July next.

Ordered, that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives for "An act authorizing an additional justice of the peace and constable in Middletown precinct, in McDonough county;" was read third time, and,

On motion of Mr. Stapp,

Referred to a select committee.

Ordered, That Messrs. Stapp, McMurtry, and Davis be that committee.

On motion of Mr. Henry,

The order of business was suspended, to enable a committee to report.

Mr. Henry, from the committee on Retrenchment, to which was referred a bill for "An act regulating the salaries and fees of officers, and retrenching the expenses of the State," reported the same back, without amendment.

On motion of Mr. Henry,

Said bill was referred to a committee of the whole Senate.

Mr. Dougherty moved that the committee of the whole Senate be discharged from the consideration of the bill for "An act to district the State for the purpose of electing Representatives to the Congress of the United States;"

On motion of Mr. McMurtry,

The Senate adjourned.

FRIDAY, JANUARY 27, 1843.

Senate met pursuant to adjournment.

The question pending at the last adjournment being upon discharging the committee of the whole Senate from the consideration of the bill for "An act to district the State, for the purpose of electing Representatives to the Congress of the United States," the same was put, and decided in the negative.

Mr. Baker moved that the order of business be suspended, and that the Senate do now resolve itself into a committee of the whole, to take into consideration the bill for "An act to district the State for the purpose of electing Representatives to the Congress of the United States;" which was not agreed to.

Mr. Speaker laid before the Senate the report of the committee appointed by the Governor to investigate the accounts of the State Bank of Illinois, &c.; which was read,

Mr. Davidson moved to lay the same on the table, and print 1000 copies.

Mr. Ralston called for a division of the question, so as to take the vote first upon laying on the table.

The question being taken upon laying said report on the table,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Evans, Fithian, Henry, Hoard, James, Johnson, Markley, Matteson, McMurtry, Minard, NunnaHy, Parrish, Ralston, Smith, Thompson, Vandeventer, Willbanks, and Wynne—22.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Harris, Harrison, Killpatrick, Parker, Ruggles, Slocumb, Stapp, Warren, Waters, and Worthington—15.

On motion of Mr. Parrish,

The order of business was suspended, and a bill from the House of Representatives for "An act to repair the damage occasioned by the destruction of the records and public documents of Jackson county," was taken up, read the first time, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule was further dispensed with, and said bill read a second time by its title.

Mr. Cavarly moved to amend the bill by striking out the word "State," in the twelfth section, and inserting in lieu thereof, the word "county."

On motion of Mr. Parrish,

The bill and amendment were referred to the committee on the Judiciary.

On motion of Mr. Warren,

Leave of absence was obtained for Mr. Leviston, until Monday next.

On motion of Mr. Slocumb,

The order of business was suspended to enable him to introduce a bill for "An act supplemental to 'An act to diminish the State debt, and put the State Bank into liquidation;" which bill was read a first time, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said bill read a second time by its title.

On motion of Mr. Warren,

The rule was further dispensed with, and said bill read a third time by its title, and

On the question—"Shall the bill pass?"

It was decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Cavarly, Culloin, Davidson, Evans, Harrison, Johnson, McMurry, Minard, Nunnally, Parker, Parrish, Ruggles, Scrumb, Smith, Thompson, Warren, Waters, and Willbanks—18.

Those voting in the negative, are,

Messrs. Buford, Catlin, Davis, Dougherty, Fithian, Harris, Henry, Hoard, James, Killpatrick, Markley, Matteson, Ralston, Stapp, Vandeverter, Worthington, and Wynne—17.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Dougherty presented the petition of Brian Shaunessy, praying for a ferry at Cairo, in Alexander county, the reading of which was dispensed with, and on his motion,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Harrison, and Waters be that committee.

Mr. Davis presented the petition of sundry citizens of Hancock, Adams, Schuyler, and McDonough counties, praying to be stricken off from their respective counties, and formed into a new county by certain lines of boundary therein specified, the reading of which was, on his motion, dispensed with, and the petition referred to the select committee to which had been referred a petition on the same subject.

Mr. Ralston presented certain resolutions of the 72d regiment of Illinois militia, recommending amendments to the militia law, the reading of which was,

On motion of Mr. Ralston,

Dispensed with, and the same referred to the committee on Military Affairs.

Mr. Stapp, from the select committee to which was referred a bill from the House of Representatives for "An act authorizing an additional justice of the peace and constable, in Middleton precinct, in McDonough county," reported the same back with an amendment, which was concurred in, and said bill

Ordered to a third reading.

On motion of Mr. Parker,

The rule of was dispensed with, and the bill read a third time by its title, and passed.

Ordered, that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate.

Mr. Hoard, from the select committee to which was referred a bill from the House of Representatives for "An act supplementary to the several acts defining the duties of the Public Printer," reported the same back to the Senate with an amendment; which was concurred in.

Mr. McMurry moved to re-consider the vote just taken on concurring with the committee in their amendment; which was not agreed to.

The question was then taken on ordering the bill to a third reading, as amended, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cavarly, Crain, Cullom, Davidson, Evans, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Markley, Matteson, Minard, Nunnally, Ruggles, Slocumb, Smith, Stapp, Thompson, Warren, Waters, Willbanks, Worthington, and Wynne—28.

Those who voted in the negative, are,

Messrs. Davis, Harris, McMurtry, Parker, Parrish, and Vandeventer—6.

A message from the House of Representatives, by Mr. Ames, a member.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of a bill for "An act supplementary to an act entitled 'An act to diminish the State debt, and put the State Bank into liquidation.'" as amended by them, in which amendment they ask the concurrence of the Senate.

On motion of Mr. Hoard,

The order of business was suspended, when he moved that the committee of the whole Senate be discharged from the consideration of the bill from the House of Representatives for "An act in relation to the revenue of 1842;" which was agreed to.

On motion of Mr. Hoard,

The vote taken on yesterday, on concurring with the committee on Finance, in the amendment reported by them, to the bill from the House of Representatives for "An act in relation to the revenue of 1842," was reconsidered.

Mr. Ralston moved to amend that amendment, by striking out the seventh section thereof, and inserting in lieu of it the following:

"Sec. 7. Hereafter no sale of interest bonds shall be made."

Mr. Baker moved to lay the bill and amendment, and amendment to the amendment, on the table, and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cullom, Davidson, Davis, Fithian, Harrison, Hoard, Johnson, Killpatrick, McMurtry, Minard, Ruggles, Smith, Stapp, Waters, and Worthington—17.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Evans, Harris, Henry, James, Markley, Matteson, Nunnally, Parker, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—18.

Mr. McMurtry moved that the bill and amendment, and amendment to the amendment, be referred to the committee on the Judiciary; which was agreed to.

On motion of Mr. Cavarly,

The order of business was suspended, and the message last received from the House of Representatives, was taken up for consideration.

The question being upon concurring with the House of Representatives, in their amendment to the bill for "An act supplemental to 'An act to diminish the State debt, and to put the State Bank into liquidation,'" the same was put and decided in the negative, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Cavarly, Cullom, Davidson, Evans, Fithian, Harrison, Johnson, Killpatrick, McMurtry, Minard, Parker, Parrish, Ruggles, Hoard, Slocumb, Smith, and Waters—18.

Those voting in the negative, are,

Messrs. Barnett, Catlin, Crain, Davis, Harris, Henry, James, Markley, Matteson, Nunnally, Ralston, Stapp, Thompson, Vandeventer, Warren, Willbanks, Worthington and Wynne—18.

Mr. Speaker vote! in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Henry moved that the Senate adjourn until Monday morning next, at 10 o'clock, A. M., and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Davidson, Davis, Harrison, Henry, Johnson, Killpatrick, McMurtry, Parrish, Ralston, Ruggles, Stapp, Thompson, Willbanks, Worthington, and Wynne—17.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Cullom, Dougherty, Evans, Fithian, Harris, Hoard, James, Markley, Matteson, Minard, Nunnally, Parker, Slocumb, Smith, Vandeventer, Warren, and Waters—20.

Mr. Parker moved that the Senate adjourn to 2 o'clock, P. M., and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Cullom, Dougherty, Evans, Fithian, Harris, Henry, Hoard, James, Markley, Matteson, Minard, Parker, Ralston, Ruggles, and Smith—18.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Davidson, Davis, Harrison, Johnson, Killpatrick, McMurtry, Nunnally, Parrish, Slocumb, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—19.

Mr. Davis moved that the Senate adjourn until Monday morning next, at 9 o'clock, A. M., and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cullom, Davidson, Davis, Harrison, Henry, Johnson, Killpatrick, Markley, Minard, Parrish, Ruggles, Stapp, Thompson, Waters, Willbanks, Worthington, and Wynne—19.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Dougherty, Evans, Fithian, Harris, Hoard, James, Matteson, McMurtry, Parker, Slocumb, Smith, Vandeventer, and Warren—16.

MONDAY, JANUARY 30, 1843.

Senate met pursuant to adjournment.

The following message was received from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform

the Senate, that they have refused to order to a second reading the bill for "An act for the relief of Francis Inman and others."

The House has concurred with the Senate in their amendments to the following bills, to wit:

"An act to legalize the assessment of taxes in the counties of Mercer, St. Clair, Macoupin, and other counties, for the year 1842;"

"An act concerning the records of Jersey county," and "An act relative to probate justices of the peace.

I am also directed to inform the Senate, that the House did, at the afternoon session, on Friday last, and after the adjournment of the Senate, recede from its amendment to the Senate bill for "An act supplemental to an act entitled 'An act to diminish the State debt, and to put the State Bank into liquidation,'" and the Clerk handed said bill over to the Secretary of the Senate.

On motion of Mr. Warren,

Leave of absence was granted to Mr. Ralston, until Thursday next.

Mr. Markley presented the petition of sixty-eight legal voters of Fulton county, praying the passage of a law, granting a trial by jury to all persons when liberty is at stake; to repeal the law which justifies the imprisoning of persons without charge of crime, and to repeal all other laws which operate to oppress persons of color; which was read, and,

On motion of Mr. Warren,

Laid on the table.

On motion of Mr. Cullom,

Leave of absence was granted to Mr. Worthington, for three days.

Mr. Cullom presented the petition of sundry citizens of Woodford county, praying the addition of certain territory from Tazewell, the reading of which was dispensed with, and the same,

On motion of Mr. Cullom,

Referred to the committee on Counties.

Mr. Crain presented the petition of sundry citizens of Washington and Clinton counties, praying for a law to authorize the school commissioner of either of said counties, to sell certain lots therein named, &c., the reading of which was dispensed with, and,

On motion of Mr. Crain,

Referred to a select committee.

Ordered, That Messrs. Crain, Evans, and James, be that committee.

Mr. McMurtry presented the petition of sundry citizens of township eleven north, one east, in Knox county, praying for a law authorizing them to buy or build a school house, by a tax collected from the citizens of said township, the reading of which was dispensed with, and,

On motion of Mr. McMurtry,

Referred to the committee on School Lands and Education.

Mr. McMurtry presented the remonstrance of sundry citizens of township eleven north, one east, in Knox county, against paying for a school house in said township, the reading of which was dispensed with, and,

On motion of Mr. McMurtry,

The same was referred to the committee on School Lands and Education.

Mr. Ruggles presented the petition of the voters of the town of St.

Marion, in the county of Ogle, to have the name of said town changed to Buffalo, the reading of which was dispensed with, and the same,

On motion of Mr. Ruggles,

Referred to a select committee.

Ordered, That Messrs. Ruggles, Harrison, and Buford, be that committee.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled, a bill for "An act supplemental to 'An act to diminish the State debt, and put the State Bank into liquidation,'" and that he had, on Friday last, laid the same before the Council of Revision for their approval.

Mr. Cullom offered for adoption the following resolution, which, according to the rule, lies one day on the table:

Resolved by the Senate, That the committee on the Judiciary, be instructed to inquire whether there is any law authorizing public administrators to rent or lease real estate of intestates, and if they have not, the committee are required to report a bill giving such authority.

Mr. Harrison offered the following resolution, which, according to the rule, lies one day on the table.

Resolved, That a select committee be appointed to draught a memorial to Congress, asking that Galena be made a port of entry.

Mr. Catlin offered for adoption the following resolution, which, according to the rule, lies one day on the table:

Resolved, That no member or officer of this Senate shall be entitled to receive any pay for any day on which he shall fail to attend the Senate, and that no member or officer shall receive any pay when absent, except he be in the performance of duties required by the Senate, or unable to attend from indisposition.

Mr. Hoard offered the following resolution, which, according to the rule, lies one day on table:

Resolved, That the hour of adjournment from day to day during the remaining part of this session, shall be nine o'clock, A. M., of each day.

Mr. Fithian introduced a bill for "An act to provide for the sale of railroad lands and materials, and other lands;" which was read, and

Ordered to a second reading.

Mr. Dougherty, from the committee on the Judiciary, to which was referred a bill for "An act to repair the damage occasioned by the destruction of the records and public documents of Jackson county," reported the same back with amendments; which were concurred in.

Mr. Fithian moved to amend the twelfth section, by striking out "State," and inserting "county" in lieu thereof, and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Evans, Fithian, Harris, Hoard, Houston, Johnson, Killpatrick, Markley, Nunnally, Smith, Stapp, and Vandeventer—13.

Those who voted in the negative, are,

Messrs. Baker, Crain, Cullom, Davis, Dougherty, Harrison, James, Matteson, McMurtry, Minard, Parker, Parrish, Ruggles, Stocumb, Thompson, Warren, Waters, and Willbanks—18.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have passed a bill for "An act to legalize the assessment of taxes in the county of Grundy," in the passage of which they ask the concurrence of the Senate.

Mr. Dougherty moved to amend the twelfth section of the bill under consideration, by inserting the following proviso, after the word "manner:"

"*Provided*, that the amount to be drawn from the treasury shall not exceed the sum of one thousand dollars, and that the commissioners and secretary shall not be allowed pay except for the time actually employed in the discharge of the duties assigned to them by this act."

Mr. Davis moved to amend the amendment, by inserting after the words "one thousand," the words "five hundred;" which was not agreed to.

The question was then taken on the amendment proposed by Mr. Dougherty, and decided in the affirmative.

Ordered that the said bill be read a second time, as amended.

Mr. Dougherty, from the committee on the Judiciary, to which was referred a bill for "An act relative to wills and testaments, executors and administrators, and the settlement of estates," approved January 23, 1829, reported the same back with an amendment.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate, that they have approved a bill of the following title, to wit:

"An act supplemental to an act entitled 'An act to diminish the State debt, and put the State Bank into liquidation.'"

The amendment, as reported by the committee on the Judiciary, was concurred in, and the bill, as amended,

Ordered to a third reading.

Mr. Cullom, introduced a bill for "An act to attach part of Tazewell county to the county of Woodford;" which was read, and

Ordered to a second reading.

On motion of Mr. Cullom,

The rule was dispensed with, and said bill read a second time by its title, and

Referred to the committee on Counties.

Mr. Dougherty, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act to vacate the alleys in Wm. H. Reed's, Thomas H. Lilley's and William Elliott's addition to the town of Olney, in Richland county, reported the same back without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Parrish, on leave, introduced a bill for "An act concerning the revenue;" which was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The bill was read a second time by its title, and referred to the committee on Finance.

On motion of Mr. Fithian,

The rule was dispensed with, and a bill introduced by him for "An

act to provide for the sale of railroad lands and materials, and other lands," was taken up, read a second time by its title, and referred to the committee on Internal Improvements.

The resolution offered by Mr. Vandeventer, instructing the committee on the Judiciary to inquire into the expediency of consolidating certain offices, was taken up and adopted.

The resolution offered by Mr. Nunnally, requesting the committee on Finance, to ascertain whether the State has available funds to apply to the repairing of the roof of the State House, was taken up and adopted.

Mr. Dougherty introduced a bill for "An act to vacate certain roads therein mentioned;" which was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rules were dispensed with, and the said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Dougherty, Nunnally and James, be that committee.

Senate bill for "An act to establish a surveyor general's office," was read a second time by its title, and,

On motion of Mr. Stapp,

Referred to the committee on Finance.

Senate bill for "An act to enable Henry Wigginton to establish a ferry on the Illinois river;" was read a second time, and

Ordered to be engrossed for a third reading.

Bills from the House of Representatives of the following titles:

A bill for "An act to amend 'An act to provide for the establishment of ferries, toll bridges, and turnpike roads,' approved February 12, 1827."

A bill for "An act authorizing Benjamin Vermillion to erect a mill dam across Racoon creek, in Clay county," and

A bill for "An act to change part of the turnpike road in Hancock county," were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill from the House of Representatives for "An act supplementary to the several acts defining the duties of the Public Printer," was read the third time, as amended by the Senate, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Bills from the House of Representatives of the following titles, to wit:

A bill for "An act regulating the manner of selecting juries in certain cases;"

A bill for "An act to extend the jurisdiction of county commissioners' courts, and for other purposes;"

A bill for "An act to amend the several laws in relation to the trial of the right of property before justices of the peace," and

A bill for "An act to locate a State road in Hancock county," were severally read a third time, and passed.

Ordered, That the titles be as aforesaid and that the Secretary inform the House of Representatives thereof.

A bill from the House of Representatives for "An act authorizing the erection of a bridge across Rock river," was passed, as amended by the Senate.

Ordered, That the title be as as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment to said bill.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and a bill from the House of Representatives for "An act to repair the damage occasioned by the destruction of the records and public documents of Jackson county," was read a third time by its title, and passed.

Mr. Davidson moved that the vote just taken on the passage of the above mentioned bill, be re-considered.

Mr. James moved a call of the Senate, and after some time spent therein, the further call was, on motion of Mr. Parker, dispensed with.

The question was then taken on re-considering the vote just taken on the passage of said bill, and decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Davidson, Evans, Fithian, Harris, Henry, Hoard, Johnson, Killpatrick, Markley, Nunnally, Smith, Stapp, Vandeventer, and Wynne—16.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Cullom, Davis, Dougherty, Harrison, James, Leviston, Matteson, McMurtry, Minard, Parker, Parrish, Ruggles, Slocumb, Thompson, Warren, Waters, and Willbanks—20.

A bill from the House of Representatives for "An act to legalize the acts of certain officers therein named," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to a third reading.

Mr. Dougherty moved that rule of the Senate be dispensed with, and that the Senate resolve itself into a committee of the whole, on the bill for "An act to district the State for the purpose of electing Representatives to the Congress of the United States;" which was not agreed to.

Mr. Dougherty moved that committee of the whole Senate be discharged from the further consideration of said bill; which was not agreed to.

A bill for "An act to revise the laws, and condense them into one volume," was read a first time, and

Ordered to a second reading.

On motion of Mr. Stapp,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

A bill for "An act to refund to Daniel D. Bush certain money wrongfully paid into the treasury," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Parker moved that said bill be referred to the committee on Finance.

On motion of Mr. Stapp,

The bill was laid on the table.

A bill for "An act to authorize Henry H. Singleton to build a mill dam across the Crab Orchard creek," was read the first time, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and the said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Parrish, Cruin and Willbanks, be that committee.

A bill for "An act for the settlement of the internal improvement fund between the counties of Clay and Richland," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

On motion of Mr. Evans,

Was referred to the committee on Internal Improvements.

A bill for "An act in relation to the distribution of the laws and documents of the Congress of the United States," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to a third reading.

A bill for "An act for the relief of Harrison W. Higgs," was read a first time, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Evans,

Referred to the committee on the Judiciary.

A bill for "An act to authorize the school commissioners of Clay county to settle with the school commissioners of Richland county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a se.

cond time by its title, and referred to the committee on School Lands and Education.

A bill for "An act to authorize county commissioners to lease certain rooms," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Smith,

Referred to a select committee.

Ordered, That Messrs. Smith, Cavarly, and Cullom, be that committee.

A bill for "An act for the relief and benefit of Richland county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Internal Improvements.

A message from the House of Representatives by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed bills of the following titles, to wit:

A bill for "An act to authorize the county commissioners of Lee county to levy a tax;"

A bill for "An act organizing a school district in Vermilion county, and authorizing the sale of school lands therein;"

A bill for "An act to compensate Thomas C. King for services rendered and moneys spent;"

A bill for "An act to establish the name of William Carroll Mitchell;"

A bill for "An act to vacate a part of the town plat of Wesley city in the county of Tazewell;"

A bill for "An act in relation to certain records in Adams county;"

A bill for "An act to legalize the acts of Daniel S. Ebersol, a justice of the peace for Livingston county;"

A bill for "An act to authorize the county commissioners of Tazewell county to appoint an agent or agents for certain purposes therein named;"

A bill for "An act to locate a State road from Taylorville, in Christian county, to Zanesville, in Montgomery county."

In the passage of which they ask the concurrence of the Senate.

Mr. Parker moved that the Senate adjourn; which was not agreed to.

Mr. Johnson moved that the Senate adjourn to 7 o'clock, P. M.; which was not agreed to.

A bill for "An act to repeal a part of 'An act to incorporate the city of Chicago,' approved February 27, 1841," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Incorporations.

A bill for "An act to exempt certain articles from execution," was read a first time, and,

Ordered to a second reading

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Stapp,

Referred to the committee on the Judiciary.

Mr. Parker moved that the Senate adjourn; which was not agreed to.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, to wit:

A bill for "An act to locate a State road from Marion, in Williamson county, to Jonesboro, in Union county;"

A bill for "An act to locate a State road from Lancaster landing, in Peoria county, to Farmington, in Fulton county;"

A bill for "An act to authorize S. J. Chapman, to add an addition to the town of Vienna, in Johnson county;"

A bill for "An act to incorporate the Oak Grove Cemetery Association;"

A bill for an act entitled "An act for the relief of John Pearson."

In the passage of which they ask the concurrence of the Senate.

A bill for an act entitled "An act in relation to the bridge across Shoal creek in Clinton county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

On motion of Mr. Crain.

Said bill was referred to a select committee.

Ordered, That Messrs. Crain, Willbanks, and Warren, be that committee.

A bill for "An act confirming certain ferry privileges to the county of Bureau," was read a first time, and

Ordered to a second reading.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 31, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, to wit:

A bill for "An act supplementary to 'An act to apportion the representation of the several counties in this State,' in force February 26, 1841;"

A bill for "An act to establish the county of Audubon;"

A bill for "An act to provide for the distribution of the interest upon the school, college, and seminary fund to new counties;"

A bill for "An act to create the county of Marquette, and for other purposes therein mentioned."

A bill for "An act to provide for the sale of public property, and the payment of the public debt;"

A bill for "An act to revive 'An act to provide for settlers on lands purchased by the State;'"

A bill for "An act to create the county of Massac;"

A bill for "An act to locate a State road from Josephine to Knoxville," and

A bill for "An act fixing the times of holding circuit courts in the seventh judicial circuit."

In the passage of which bills they ask the concurrence of the Senate.

The House has refused to order to a third reading Senate bill for "An act to tax lands five years from the date of entry."

Mr. Matteson presented the petition of sundry citizens of Will county, praying that the license law may be amended; which was, on his motion, without reading, referred to the committee on the Judiciary.

Mr. Harrison presented the petition of sundry citizens of Carroll county, praying the removal of the county seat thereof; which was, on his motion, without reading, referred to a select committee.

Ordered, That Messrs. Harrison, Ruggles, and Buford be that committee.

Mr. Hoard presented the petition of sundry owners of property in the city of Chicago, praying an alteration of the location of "North Water street," in said city; which was, on his motion, without reading, referred to the committee on Public Roads.

Mr. Killpatrick, from the committee on Counties, to which was referred a bill for "An act to attach part of Tazewell county to the county of Woodford," together with sundry petitions, reported said bill back to the Senate, without amendment, and recommended its passage.

Ordered that said bill be engrossed and read a third time.

Mr. Cavarly, from the committee on Public Accounts and Expenditures, to which was referred a preamble and resolutions from the House of Representatives, on the subject of the payment, by the State of Illinois, of her just debts, &c., reported the same back to the Senate, without amendment.

Mr. Stapp moved that said preamble and resolutions be laid on the table until the 4th of July next; and on the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cullom, Davidson, Harrison, Henry, Johnson, Killpatrick, Ruggles, and Stapp—9.

Those who voted in the negative, are,

Messrs. Buford, Cavarly, Crain, Davis, Evans, Fithian, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—23.

Mr. Fithian moved to amend the same, by striking out the last of said resolutions; which was not agreed to.

Mr. Fithian moved to amend said last resolution, by striking out the word "insignificant," and inserting in lieu thereof the words "not insurmountable;" and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Crain, Davidson, Davis, Fithian, Harris, Harrison, Henry, Hoard, James, Johnson, Killrick, Markley, Nunnally, Parker, Ruggles, Stapp, Thompson, Vandeventer, Warren, Waters, and Wynne—27.

Those who voted in the negative, are,

Messrs. Leviston, Matteson, McMurtry, Minard, Parrish, Slocum and Willbanks—7.

Mr. Baker moved to amend said preamble and resolutions, by adding the end thereof, the following:

Resolved, That, in the opinion of this Legislature, no more high sounding resolutions, expressing our determination not to repudiate, can have any good effect on our character or reputation, unless they are sustained by our conduct.

Resolved, That the best evidence of our good faith and honest intentions, would be to make a beginning to discharge some of our liabilities.

Resolved, That the committee of Finance, of both Houses, be instructed to report a plan by which some portion of our debt may be paid in each year after 1843; providing therein for a gradual and progressive increase of such payment, which shall not be less than one sixth of the interest due by the State in 1844, and increasing not more than one sixth of the interest every two years thereafter; providing, also, that said interest shall be paid by taxation, unless those to whom it is due shall agree to receive such payment as the full payment of all the interest then due.

Resolved, That this measure is proposed as the beginning of a plan by which the State may ultimately be discharged, and the State faith preserved, and that this is offered only because the State is unable to do more.

Mr. Warren moved to lay said amendment on the table.

Mr. Henry moved to lay the preamble and resolutions, and amendment, on the table.

Mr. Warren called for a division of the question, and the same was taken on laying the preamble and resolutions on the table, and decided the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Fithian, Harrison, Hoard, James, Johnson, Killpatrick, Nunnally, Ruggles, Stapp, Waters, Willbanks, and Wynne—16.

Those voting in the negative, are,

Messrs. Barnett, Buford, Cavarly, Davis, Evans, Harris, Hoard, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Parrish, Slocum, Thompson, Vandeventer, and Warren—18.

The question was then taken on laying the amendment proposed by Mr. Baker on the table, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Davidson, Evans, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parrish, Slocumb, Thompson, Vandeventer, Warren, Willbanks and Wynne—22.

Those who voted in the negative, are,
Messrs. Baker, Cullom, Davis, Fithian, Harrison, Henry, Johnson, Killpatrick, Parker, Ruggles, Stapp, and Waters—12.

Mr. Stapp moved to amend said resolutions, by striking out all except the last resolution, after the word "That" in the second line of the first resolution, and insert, in lieu thereof, the following:

"The people need not look, with any degree of certainty, for better times, until the establishment of a sound currency, of uniform value throughout the Union, emanating from and guaranteed by the General Government; with a tariff so adjusted as to afford an adequate revenue, and efficient protection to agriculture, commerce and manufactures; and with the withdrawal of the proceeds of the sales of the public lands from the common treasury, where, in consequence of the fluctuating amount, the policy of the Government is liable to sudden and frequent disturbance, we may then confidently anticipate the restoration of prosperity; and with the return of that prosperity, an increased ability to discharge our honest debts."

On motion of Mr. Warren,

Said amendment was laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Evans, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—24.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, Stapp, and Waters—11.

The question was then taken on concurring with the House of Representatives in the adoption of said preamble and resolutions, as amended, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Cavarly, Crain, Davidson, Davis, Evans, Fithian, Harris, Harrison, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Parrish, Slocumb, Thompson, Vandeventer, Warren, and Willbanks—24.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cullom, Henry, Johnson, Killpatrick, Nunnally, Ruggles, Stapp, Waters, and Wynne—11.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act for the relief of Harrison W. Higgs," reported the same back to the Senate, with an amendment; which was concurred in, and said bill, as amended,

Ordered to a third reading.

Mr. Parrish, from the select committee to which was referred a bill from the House of Representatives for "An act to authorize Henry H. Singleton to build a mill-dam across Crab Orchard creek," reported the same back to the Senate, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

On motion of Mr. Parrish,

The rule was dispensed with, and said bill read a third time by title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Davidson offered for adoption the following resolution, which according to the rule, lies one day on the table:

Resolved, That the committee on Finance be directed to inquire into the expediency of abolishing the office of Fund Commissioner, and of requiring the Governor to perform such duties, if any, as might hereafter devolve upon said commissioner.

Mr. Stapp moved that the rule be dispensed with, and said resolution acted upon now; which was not agreed to.

Mr. Wynne offered for adoption the following resolution, which, under the rule, lies one day on the table.

Resolved, That the committee on Finance be instructed to examine into the propriety of so amending the laws as to regulate and equalize the assessment of property in the different counties of this State.

Mr. Parrish offered for adoption the following preamble and resolutions, which lie one day on the table:

Whereas, so much of the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights passed at the first session of the twenty-seventh Congress, as distributed among the different States in the Union the proceeds of the sales of public lands, according to the representation in Congress, is a measure fraught with mischief and injustice, conflicting in its policy, and designed to weaken the independence of the States, and to seduce the people from their former rectitude; therefore,

Resolved by the Senate, the House of Representatives concurring here That our Senators in Congress be instructed, and our Representatives requested, to vote for the repeal of so much of said act as distributes the sale of the public lands amongst the States.

Resolved, That the Governor be requested to furnish a copy of the above preamble and resolutions to each of our members in Congress.

Mr. Markley offered for adoption the following resolution, which lies one day on the table:

Resolved by the General Assembly of the State of Illinois, That it be commended to the electors of this State, at the next election of members of the General Assembly, to vote for or against a convention to amend the Constitution of this State.

Mr. Buford, on leave, introduced a bill for "An act to vacate the town of Rock Island city;" which was read, and

Ordered to a second reading.

On motion of Mr. Buford,

The rule was dispensed with, and said bill read a second time by title, and referred to the committee on the Judiciary.

Mr. Catlin, on leave, introduced a bill "An act for the relief of certain persons therein named;" which was read.

Mr. Killpatrick moved that the consideration of the bill be indefinitely postponed; which was not agreed to.

Ordered that said bill be read a second time.

Mr. Fithian, on leave, introduced a bill for "An act to amend an act entitled 'An act providing for the binding of the laws and journals,' approved January 31, 1840;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule of the Senate was dispensed with, and the bill was read a second time by its title,

Ordered that said bill be engrossed and read a third time.

Mr. Fithian, on leave, also introduced a bill for "An act for the better regulation of county treasuries and county funds;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Stapp,

Referred to the committee on Finance.

Mr. Evans, on leave, introduced a bill for "An act concerning the Cumberland road, in Illinois;" which was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Evans,

Referred the committee on Public Roads.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Senate bill for "An act to increase the per diem pay of grand and petit jurors, and to allow them mileage," was read a third time.

Mr. James moved a call of the Senate; which progressed for some time, and was, on motion of Mr. Cavarly, dispensed with.

The question was then taken on the passage of the above mentioned bill, and decided in the affirmative, by the following vote, to wit:

Those voting in the affirmative, are,

Messrs. Barnett, Buford, Cavarly, Crain, Cullom, Davis, Evans, Fithian, Harris, Harrison, Hoard, James, Leviston, Matteson, Minard, Nunnally, Parker, Parrish, Ruggles, Smith, Stapp, Thompson, Warren, Waters, and Willbanks—25.

Those voting in the negative, are,

Messrs. Bake, Davidson, Johnson, Killpatrick, Slocumb, Vandeventer and Wynne—7.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act to amend an act entitled 'An act supplemental to the charter of the Springfield and Alton turnpike road company,' approved February 27, 1841;" was read the third time.

The question was then taken on the passage of said bill, and decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Cullom, Davidson, Davis, Fithian, Harris, Henry, Johnson, Killpatrick, Matteson, Ruggles, Smith, Stapp, and Waters—15.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Crain, Evans, Hoard, James, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—20.

Ordered, That the Secretary inform the House of Representatives thereof.

A bill for "An act to enable Henry Wigginton to establish a ferry on the Illinois river," and

A bill for "An act to incorporate the city of Peoria," were severally read a third time and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

House bills of the following titles were severally read a third time and passed.

A bill for "An act in relation to the distribution of the laws and documents of the Congress of the United States;"

A bill for "An act to vacate the alleys in William H. Reed's, Thomas W. Lilley's, and William Elliott's addition to the town of Olney, in Richland county," and

A bill for "An act to legalize the acts of certain officers therein named."

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives of the Senate's concurrence in the passage of said bills.

A bill for "An act to amend 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,' approved January 23, 1829," was read a third time and passed, as amended by the Senate.

Ordered, That the title be as aforesaid, and the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

House bill for "An act confirming certain ferry privileges to the county of Bureau," was read a second time, and

Ordered to be read a third time.

House bills of the following titles were severally read a first time and ordered to a second reading:

"An act authorizing a school district in Vermilion county, and authorizing the sale of school lands therein;"

"An act in relation to certain records in Adams county;"

"An act to legalize the acts of Daniel S. Ebersol, a justice of the peace for Livingston county;"

"An act to authorize the county commissioners of Tazewell county to appoint an agent or agents for certain purposes therein named;"

"An act to locate a State road from Taylorville, in Christian county, to Zanesville, in Montgomery county;"

"An act to legalize the assessment of taxes in the county of Grundy;"

"An act to locate a State road from Quincy, in Adams county, to Augusta, in Hancock county," and

"An act to authorize the county court of Lawrence county to build a stone pier under the bridge across Embarrass river, at the town of Lawrenceville."

The rule of the Senate having been dispensed with, said bills were severally read a second time by their titles, and

Ordered to a third reading.

A bill for "An act to authorize the county commissioners of Lee county to levy a tax," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Buford,

The rule of the Senate was further dispensed with, and said bill was read a third time by its title, and passed.

A bill for "An act to compensate Thomas C. King for services rendered and money's spent," was read a first time.

The question was then taken on ordering said bill to a second reading, and decided in the negative.

A bill for "An act to establish the name of William Carroll Mitchell," was read a first time, and

Ordered to a second reading.

A bill for "An act to vacate a part of the town plat of Wesley City, in the county of Tazewell," was read a first time, and

Ordered to a second reading.

On motion of Mr. Cullom,

The rule was dispensed with, and said bill read a second time by its title.

The question was then taken on ordering said bill to a third reading, and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Buford, Cullom, Davidson, Davis, Evans, Harrison, Henry, Hoard, Johnson, Killpatrick, Minard, Nunnally, Parker, Parrish, Smith, Thompson, Warren, Waters, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Barnett, Cathin, Cavarly, Crain, Dougherty, Eithian, Harris, James, Leviston, Markley, Matteson, McMurtry, Ruggles, Slocumb, Stapp, and Vandeventer—16.

A bill for "An act to locate a State road from Marion, in Williamson county, to Jonesboro, in Union county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Dougherty,

The rule of the Senate was further dispensed with, and said bill was read a third time by its title, and passed.

Ordered That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act to locate a State road from Lancaster Landing, in Peoria county, to Farmington, in Fulton county," was read a first time, and *Ordered* to a second reading.

On motion of Mr. Markley,

The rule of the Senate was dispensed with and the bill was read a second time by its title, and referred to the committee on Public Roads.

A bill for "An act to authorize S. J. Chapman to add an addition to the town of Vienna, in Johnson county," was read a first time, and *Ordered* to a second reading.

On motion of Mr. Waters,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and

Ordered to be read a third time.

On motion of Mr. Dougherty,

The rule was further dispensed with, and the bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that Secretary inform the House of Representatives thereof.

A bill for "An act to incorporate the Oak Grove Cemetery Association," was read a first time, and

Ordered to a second reading,

On motion of Mr. Smith,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Incorporations.

A bill for an act entitled "An act for the relief of John Pearson," was read a first time, and

Ordered to a second reading,

On motion of Mr. Nunnally,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Dougherty,

Referred to the committee on the Judiciary.

"An act to amend an act entitled 'An act to incorporate the Union Agricultural Society,'" was read a first time, and

Ordered to a second reading.

Senate bill for "An act to punish the crime of incest," was taken up.

The question was taken on concurring with the House of Representatives in their amendments to said bill, and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

A bill from the House of Representatives, for "An act to amend an act entitled 'An act disposing of the public property in Vandalia, and for other purposes,'" was read a first time, and

Ordered to a second reading.

On motion of Mr. Evans,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and,

On motion of Mr. Killpatrick,

Referred to the committee on the Judiciary.

On motion, the Senate adjourned.

WEDNESDAY, FEBRUARY 1, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the Senate in their amendments to a bill for an act entitled "An act to repair the damage occasioned by the destruction of the records and public documents of Jackson county."

Mr. Speaker laid before the Senate the following communication:

EXECUTIVE DEPARTMENT,
Springfield, January 31, 1843.

To the Honorable the Senate:

I nominate James McCoy to be Notary Public for the county of Whiteside.

THOMAS FORD.

On motion of Mr. Cavarly,

The foregoing communication was acted on with open doors.

On motion of Mr. Harrison,

The above nomination was advised and consented to by the Senate.

Mr. Dougherty presented the petition of James Seymour, of Rochester, the State of New York, for relief; which was read, and,

On motion of Mr. Dougherty,

Referred to the committee on the Judiciary.

Mr. Dougherty presented the petition of two hundred and seventeen citizens of Alexander county, praying for the formation of a new county; the reading of which was,

On motion of Mr. Dougherty,

Dispensed with, and referred to the committee on Counties.

Mr. Barnett presented the petition of the widow and heirs of Iyra Iarp, deceased; the reading of which was,

On motion of Mr. Barnett,

Dispensed with, and said petition was referred to the committee on the Judiciary.

Mr. Nunnally presented the petition of Redman & Case, praying to be remunerated for materials furnished on the Great Western Mail Route, and for damages, &c.; the reading of which was,

On motion of Mr. Nunnally,

Dispensed with, and said petition referred to the committee on Internal Improvements.

Mr. Minard presented the petition of sundry citizens of Boone county, praying the Legislature to establish the eastern boundary of said county; the reading of which was,

On motion of Mr. Minard,

Dispensed with, and referred to the committee on Counties.

Mr. Crain, from the committee on School Lands and Education, to which was referred a petition of sundry citizens of township No. 11 north, range 1 east, in Knox county, praying for a law authorizing them to buy and build a school house by a tax collected from the citizens of said township; also, a remonstrance against said petition, reported them back, and read and obtained a discharge from the further consideration of the same.

On motion of **McMurtry**,

Said petition and remonstrance were referred to a select committee.

Ordered, That Messrs. **McMurtry**, **Stapp**, and **Thompson** be that committee.

Mr. Davidson, from the committee on School Lands and Education, to which was referred a bill for "An act to amend an act entitled 'An act to incorporate the Rock River Seminary, in Ogle county, Illinois,'" reported the same back, without amendment.

Ordered, that said bill be read a third time.

Mr. Davidson, from the same committee, to which was referred a House bill for "An act to authorize the school commissioner of Clay county to settle with the school commissioner of Richland county," reported the same back, without amendment.

Ordered, that said bill be read a third time,

On motion of **Mr. Davidson**,

The rule of the Senate was dispensed with, and said was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Leviston, on leave, introduced a bill for "An act to authorize the Governor to convey certain lots in the town of Shawneetown to E. J. Durbin;" which was read a first time, and

Ordered to a second reading.

On motion of **Mr. Leviston**,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and,

On motion of **Mr. Stapp**,

Referred to the committee on the Judiciary.

An engrossed bill for "An act to amend an act entitled 'An act to provide for the binding of the laws and journals,' approved January 31, 1840," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolution, introduced by **Mr. Davidson**, instructing the Finance committee to inquire into the expediency of abolishing the office of Fund Commissioner, &c., was taken up and adopted.

A Senate bill for "An act for the relief of certain persons therein named," was read a second time, and,

On motion of **Mr. Harris**,

Referred to the committee on Petitions.

A Senate bill for "An act to attach a part of Tazewell county to the county of Woodford," was read a third time.

On motion to **Mr. Barnett**,

Said bill was referred to a select committee.

Ordered, That Messrs. **Barnett**, **Cullom**, and **Warren** be that committee. Bills from the House of Representatives of the following titles were severally read a third time and passed.

"An act confirming certain ferry privileges to the county of Bureau;"

"An act to legalize the assessment of taxes in the county of Grundy;"

"An act to authorize the county court of Lawrence county to build a stone pier under the bridge across the Embarrass river, at the town of Lawrenceville;"

"An act to locate a State road from Quincy, in Adams county, to Augusta, in Hancock county;"

"An act to locate a State road from Taylorville, in Christian county, to Zanesville, in Montgomery county;"

"An act organizing a school district in Vermillion county, and authorizing the sale of school lands therein;"

"An act to vacate a part of the town plat of Wesley City, in the county of Tazewell;"

"An act to authorize the county commissioners of Tazewell county, to appoint an agent or agents for certain purposes therein named;"

"An act in relation to certain records in Adams county," and

"An act to legalize the acts of Daniel S. Ebersol, a justice of the peace for Livingston county."

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill from the House of Representatives for "An act for the relief of Harrison W. Higgs," was read a third time, as amended by the Senate, and passed.

On motion of Mr. Cavarly,

The title of said bill was amended, by adding thereto the words "and others."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments of the Senate.

On motion of Mr. Warren,

The order of business was suspended, and the resolution offered by him some days since, proposing that the two Houses of the General Assembly adjourn on the first Monday of February then next, was taken from the table.

The question being upon the amendment heretofore offered by Mr. Davis to said resolution,

Mr. Catlin moved to lay that amendment on the table.

On motion of Mr. Markley,

The resolution and amendment were laid on the table until the 10th of February, instant.

A bill from the House of Representatives for "An act to establish the name of William Carroll Mitchell," was read a second time, and,

On motion of Mr. Cavarly,

Referred to a select committee.

Ordered, That Messrs. Cavarly, Vandeventer, and Waters be that committee.

A bill for "An act to amend an act entitled 'An act to incorporate the Union Agricultural Society,'" was read a second time, and,

On motion of Mr. Davidson,

Referred to the committee on Public Accounts and Expenditures.

Bills from the House of Representatives of the following titles were severally read a first time and ordered to a second reading.

"An act to establish a ferry therein named;"

"An act to amend an act entitled 'An act to locate and change certain State roads,' approved February 27, 1841;"

"An act in relation to the Cumberland road;"

"An act to change the name of Lucy Robinson," and

"An act to legalize the assessment of William Moore, of St. Clair county, for the year 1841."

The rule having been dispensed with, on motion, said bills were severally read a second time by their titles, and

Ordered to a third reading.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A bill for "An act to authorize Benjamin B. Gates and David B. Higby to extend their mill-dam on the rapids of the Mississippi river;" was read a first time, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Harris,

Referred to the committee on Internal Navigation.

A bill for "An act to repeal an act entitled 'An act to regulate foreign insurance company agencies, established in the State of Illinois, and for other purposes,'" was read, and

Ordered to a second reading.

On motion of Mr. Henry,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Henry, Cavalry, and Stapp, be that committee.

A bill to for "An act to provide for the payment of the interest on the school, college, and seminary fund," was read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. James,

Referred to the committee on Finance.

A bill for "An act amending the several acts relating to attachments," was read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

On motion of Mr. Cavarly,

Referred to the committee on the Judiciary.

A bill for "An act concerning evidence in certain cases," was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Harris,

Referred to the committee on the Judiciary.

A bill for "An act applying the bonus of Bond county to the school fund of said county," was read, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule of the Senate was dispensed with, and the said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Johnson, Evans, and Fithian be that committee.

A bill for "An act to amend 'An act to apportion the representation of the several counties in this State,' approved February 26, 1841;" was read, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule was dispensed with, and said bill read a second time by its title.

Ordered that said bill be read a third time.

A bill for "An act authorizing the construction of a toll bridge across Rock river," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Internal Navigation.

A bill for "An act for the protection of sheep and wool growers, and for other purposes," was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Davis moved that the bill be referred to committee on the Penitentiary; which was not agreed to.

Mr. Waters moved to amend the bill, by adding to the end of the third section thereof the following:

"*Provided*, that the dog so offending shall have a fair and impartial trial by a jury of his country, and if found guilty, shall be sentenced to the penitentiary for a term of not less than five nor more than ten years;" which was,

On motion of Mr. Markley,

Laid on the table.

On the question—"Shall the bill be ordered to a third reading?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davidson, Fithian, Harris, Harrison, Henry, Hoard, James, Killpatrick, Leviston, Markley, Matteson, Parker, Parrish, Ruggles, Smith, Thompson, Vandeventer, Waters, Willbanks, and Wynne—25.

Those who voted in the negative, are,

Messrs. Davis, Dougherty, Evans, Houston, Johnson, McMurtry, Minard, Nunnally, Slocumb, Stapp, and Warren—11.

A bill for "An act to regulate weights and measures," was read, and *Ordered* to a second reading.

On motion of Mr. Nunnally,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

On motion of Mr. Warren,

Referred to the committee on Internal Improvements..

A bill for "An act to locate a State road from Belvidere to Little Fort" was read, and

Ordered to a second reading.

On motion of Mr. Minard,

The rule was dispensed with, and said bill read a second time by its title,

Ordered that said bill be read a third time.

Bills for "An act to authorize the common council of the city of Chicago to straighten Madison street, in said city," and for "An act to legalize certain proceedings of the trustees of schools for township thirty-three north, range three east, and for other purposes," were severally read, and

Ordered to a second reading.

A bill for "An act to vacate a part of the town plat of Philip Flagler's addition to town of Tremont, in the county of Tazewell, and authorizing the owners of blocks to close the streets," was read, and

On the question—"Shall the bill be ordered to a second reading?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

A bill for "An act to vacate the town plat of the town of Reedfield" was read, and

On motion of Mr. Cavarly,

Laid on the table until the 4th of July next.

A bill for "An act to provide for dividing the several counties in this State into county commissioners' districts," was read, and,

On motion of Mr. Warren,

Laid on the table until the 4th of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

A bill for "An act supplementary to 'An act authorizing Henry W. Cleveland to build a bridge across the Winnebago Swamp,'" was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to a third reading.

A bill for "An act to incorporate the directory of the Literary and Medical college of the State of Illinois," was read, and

Ordered to a second reading.

On motion of Mr. Minard,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Incorporations.

On motion of Mr. Cavarly,

The order of business was suspended, and, on his further motion, the Senate resolved itself into a committee of the whole, to take into consideration a bill for "An act regulating the salaries and fees of officers, and retrenching the expenses of the State;" Mr. Harrison in the chair.

After some time, Mr. Speaker resumed the chair, and Mr. Harrison reported said bill back to the Senate, with sundry amendments, and asked their concurrence.

On motion of Mr. Stapp,

The bill and amendments were referred to the committee on Finance.

On motion of Mr. Cullom,

The order of business was further suspended, to enable him to present a petition.

Mr. Cullom presented the petition of sundry citizens of Woodford county, praying that a portion of Tazewell be added to Woodford county; which was, without reading,

On motion of Mr. Cullom,

Referred to the select committee to which was referred other petitions on the same subject.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 2, 1843.

Senate met pursuant to adjournment.

Mr. Davis presented the remonstrance and petition of sundry citizens of Hancock county, for and against the formation of a new county, from parts of Hancock and Adams counties; which were without reading,

On motion of Mr. Davis,

Referred to the select committee to which was referred other petitions and remonstrances on the same subject.

Mr. Crain, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives for "An act to legalize defective returns of the school directors and treasurers of townships, in the counties therein named;" reported the same back without amendment.

Ordered that said bill be read a third time.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act to amend an act entitled "An act disposing of the public property in Vandavia, and for other purposes," reported the same back without amendment.

Ordered that said bill be read a third time.

Mr. Cavarly, from the same committee, to which was referred a Senate bill for "An act to vacate the town of Rock Island city," reported the same back without amendment.

Ordered that the bill be engrossed and read a third time.

Mr. Harris, from the committee on Petitions, to which was referred a bill for "An act for the relief of certain persons therein named," reported the same back without amendment.

Ordered that said bill be engrossed and read a third time.

Mr. Cavarly, from the committee on Public Accounts and Expendi-

tures, to which was referred a bill from the House of Representatives for "An act in relation to a poor-house in Jersey county," reported the same back with an amendment; which was concurred in, and the bill, as amended,

Ordered to be read a third time.

Mr. Cavarly, from the committee on Finance, to which was referred Senate bill for "An act concerning the revenue," reported the same back with an amendment; which was concurred in.

On motion of Mr. Dougherty,

The vote just taken upon concurring with the committee on Finance in the amendment reported by them, was re-considered.

On motion of Mr. Dougherty,

Said amendment was amended by striking out the words "at the rate of," in the fifth line of the first section of the same, and inserting in lieu of them, the words "at its highest current value, but in no case for a less sum than."

The amendment as amended, was then concurred in, and,

On the question—"Shall the bill as amended be engrossed and read a third time."

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Davidson, Davis, Dougherty, Harris, Harrison, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Ruggles, Thompson, Walters, Willbanks, and Wynne—25.

Those who voted in the negative, are,

Messrs. Baker, Crain, Cullom, Fithian, Henry, McMurtry, Stocum, Smith, Stapp, Vandeventer, and Warren—11.

Mr. Harris, from the committee on Petitions, to which was referred sundry petitions, reported a bill for "An act to legalize the acts of the elders, deacons, and ministers of the Protestant Reformed Dutch Church of Fairview, Fulton county;" which was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Parrish,

Referred to the committee on Incorporations.

Mr. Davidson, from the committee on School Lands and Education, to which was referred a bill for "An act to relieve the Mount Vernon Academy," reported the same back to the Senate without amendment.

Ordered that said bill be engrossed and read a third time.

Mr. Smith, from the select committee to which was referred a bill from the House of Representatives for "An act to authorize county commissioners to lease certain rooms," reported the same back without amendment.

Ordered that said bill be read a third time.

Mr. Barnett, from the select committee, to which referred engrossed bill for "An act to attach part of Tazewell county to the county of Woodford," together with a petition, reported said bill back without amendment.

Said bill having been yesterday read a third time, the question was put—"Shall the bill pass?" and decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Parrish, from the select committee to which was referred a preamble and resolution in relation to the Sergeant-at-Arms, with instructions to send for persons and papers, to examine witnesses on oath, and embody the evidence so taken and report the same to the Senate, made report; which report was,

On motion of Mr. Davis,

Laid on the table.

On motion of Mr. Vandeventer,

The vote last taken was re-considered.

Mr. Killpatrick moved that said preamble and resolution and report, be laid on the table.

Mr. Parrish called for a division of the question, and the same being taken first on laying the preamble and resolution on the table,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catliq, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Fithian, Harris, Harrison, Hoard, Houston, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Ruggles, Slocumb, Thompson, Vandeventer, Warren, Waters, and Wynne—32.

Those who voted in the negative, are,

Messrs. Henry, Johnson, Parrish, Smith, Stapp, and Willbanks—6.

The question was then taken on laying the report on the table, and decided in the affirmative.

Mr. Ruggles, from the select committee to which was referred the petition of sundry citizens of the town of St. Marion, reported a bill for "An act to change the name of the town of St. Marion, in Ogle county, to that of Buffalo;" which bill was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, and said bill read a second time by its title.

Ordered that the bill be engrossed for a third reading.

Mr. Dougherty, from the select committee to which was referred a bill for "An act to locate certain roads therein mentioned," reported the same back with an amendment; which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

Mr. Vandeventer offered for adoption the following preamble and resolution, which, under the rule, lie one day on the table:

Whereas, a preamble and resolution has been introduced into the Senate, reflecting upon the fidelity and integrity of Iram Nyc, their Sergeant-at-Arms; *And whereas*, said preamble and resolution were referred to a select committee, with instructions to inquire into the charges against said Nye, and to embody the testimony taken, and report the same to the Senate; *And whereas*, said committee having performed the duties assigned them, and embodied and reported the testimony so taken by them, to the Senate; *And whereas*, it now appears from the testimony taken in said

case, that the charges set forth in the preamble to said resolution, against Iram Nye, touching his integrity and moral honesty, are unfounded and unjust. To the end, therefore, that no injustice be done in the premises,

Resolved, That Iram Nye is wholly acquitted and exonerated from the grave and serious charges exhibited against him in the preamble to said resolution, touching his integrity and moral honesty.

On motion of Mr. Davis,

The rule was dispensed with, and the above preamble and resolution were considered, and,

On motion of Mr. Dougherty,

Laid on the table.

Mr. Fithian offered for adoption the following resolution, which, according to the rule, lies one day on the table:

Resolved by the Senate, the House concurring herein, That after the passage of this resolution, no bill commonly called a blank bill shall be received by either House, and that no new business shall be received by either branch of this General Assembly, after the tenth instant.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Cavarly,

The order of business was suspended, and the message from the House of Representatives, containing a resolution proposing that the two Houses of the General Assembly receive no new business after the 10th of February, instant, &c., was taken up, and said resolution concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Engrossed bill for "An act for the relief of persons therein named," was read a third time and passed.

On motion of Mr. Cavarly,

The title of the bill was amended by striking out the words "persons therein named," and inserting instead of them, the words "Shilo Meeting House Tract."

Ordered, That the title be as amended and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill from the House of Representatives for "An act for the protection of sheep and wool growers, and for other purposes," was read a third time by its title, and,

On motion of Mr. Dougherty,

Laid on the table until the 4th of July next, by the following vote:

Those voting in the affirmative, are,

Messrs. Baker, Buford, Cavarly, Davis, Dougherty, Evans, Harrison, Houston, Johnson, McMurtry, Nunnally, Parker, Parrish, Shucumb, Stapp, Vandeverter, Warren, Waters, and Willbanks—20.

Those voting in the negative, are,

Messrs. Catlin, Crain, Cullom, Davidson, Fithian, Henry, Hoard, James Kilpatrick, Leviston, Markley, Matteson, Ruggles, Smith, Thompson and Wynne—16.

Ordered, That the Secretary inform the House of Representatives thereof.

Bills of the following titles were severally read a third time, and passed:

"An act to locate a State road from Belvidere to Little Fort;"

"An act to amend an act entitled 'An act to apportion the representation of the several counties in this State,' approved February 26, 1841;"

"An act to legalize defective returns of the school directors and treasurers of townships in the counties therein named;"

"An act to amend an act entitled 'An act disposing of the public property in Vandalia, and for other purposes;'"

"An act to establish a ferry therein named;"

"An act to amend an act entitled 'An act to locate and change certain State roads,' approved February 27, 1841;"

"An act to change the name of Lucy Robinson;"

"An act to amend an act entitled 'An act to incorporate the the Rock ver Seminary, in Ogle county, Illinois,'" and

"An act supplementary to 'An act authorizing Henry W. Cleveland to build a bridge across the Winnebago swamp.'"

Ordered, That their titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act in relation to the Cumberland road," was read a third time, and,

On motion of Mr. Crain,

Referred to the committee on Public Roads.

A bill for "An act in relation to a poor-house in Jersey county," was read a third time, as amended, and passed.

Ordered, that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate.

A bill for "An act to legalize the assessment of William Moore, of St. Clair county, for the year 1841," coming up on its third reading, was,

On motion of Mr. Catlin,

Laid on the table until the 4th of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

A bill from the House of Representatives for "An act to authorize the common council of the city of Chicago to straighten Madison street, in said city," was read a second time, and

Ordered to a third reading.

A House bill for "An act to legalize the proceedings of trustees of school township thirty-three north, range three east, and for other purposes," was read a second time, and,

On motion of Mr. Warren,

Referred to the committee on the Judiciary.

A bill to incorporate the city of Metropolis, in Johnson county, was read a first time, and

Ordered to a second reading.

On motion of Mr. Waters,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Cavarly,

Referred to the committee on Incorporations.

A bill for "An act supplementary to 'An act to apportion the representation of the several counties in this State,' in force February 26th, 1841," was read a first time, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

A bill for "An act to incorporate the Monticello Female Academy," was read a first time, and

Ordered to a second reading.

On motion of Mr. Smith,

The rule of the Senate was dispensed with, and the said bill read a second time by its title, and referred to the committee on Incorporations.

A bill for "An act to amend act entitled "An act to regulate the interest on money," approved February 28, 1833," was read a first time, and,

On motion of Mr. Warren,

Was laid on the table until the 4th of July next.

A bill for "An act to vacate a part of Sampson's, Harris' and Leslie's addition to the town of Tremont," was read a first time, and,

On motion of Mr. Cavarly,

Was laid on the table until the 4th of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

A bill for "An act to regulate elections for Senator and Representative of Richland and Clay counties," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Evans,

Referred to the committee on Elections.

A bill for "An act to authorize the removal of the seat of justice of McHenry county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and,

On motion of Mr. Stapp,

Referred to the committee on Counties.

A bill for "An act to locate a State road from Josephine to Knoxville," was read a first time, and,

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Cullom,

Referred to a select committee.

Ordered, That Messrs. Cullom, McMurtry, and Barnett, be that committee.

Mr. Speaker laid before the Senate the following communication from the Governor; which was, on motion of Mr. Cavarly, acted on with open doors.

EXECUTIVE DEPARTMENT,
Springfield, Feb. 2, 1843.

To the Senate:

I nominate Lewis B. Wynne to be public administrator of Menard county.

I have the honor to be, &c.,
THOMAS FORD.

On motion of Mr. Vandeventer,

The foregoing nomination was advised and consented to by the Senate. A House bill for "An act to create the county of Massac," was read a first time, and,

Ordered to a second reading.

On motion of Mr. Waters,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Waters, Dougherty, and Leviston, be that committee.

House bill for "An act to revise an act to provide for settlers on lands purchased by the State," was read a first time, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Warren, and Evans, be that committee.

A bill for "An act to provide for the sale of public property, and the payment of the public debt," was read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Davidson,

Referred to the committee of the whole Senate, and made the special order for Saturday next, at 2 o'clock, P. M.

On motion of Mr. Davidson,

The order of business was suspended, and the bill for "An act appropriating certain property to the payment of the State debt," some days since referred to the committee of the whole, was taken up, and, on his further motion, made the special order for Saturday next, at 2 o'clock, P. M.

A bill for "An act to establish the county of Audubon," was read, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule was dispensed with, and the bill read a second time by its title.

Ordered that the same be read a third time.

A bill for "An act to provide for the distribution of the interest upon the school, college, and seminary fund to new counties," was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rule was dispensed with, and said bill read a second time by its title, and

Referred to the committee on School Lands and Education.

Mr. Killpatrick moved that the order of business be suspended to enable him to introduce a bill; which was not agreed to.

On motion of Mr. Stapp,

The Senate adjourned.

FRIDAY, FEBRUARY 3, 1843.

Senate met pursuant to adjournment.

Mr. Buford offered the petition of William Dickson, with others, to dam sloughs of Rock river for mill privileges, the reading of which was,

On motion of Mr. Buford,

Dispensed with, and referred to the committee on Internal Improvements.

Mr. Wynne presented the petition of sundry citizens of Sangamon county, praying the creation of a new county on the north side of Sangamon river; the reading of which was,

On motion of Mr. Wynne,

Dispensed with, and referred to the committee on Counties.

Mr. Parker, from the committee on Public Roads, to which was referred a bill for "An act to establish a State road therein named," reported the same back with an amendment; which was concurred in, and the bill, as amended, was

Ordered to be engrossed for a third reading.

Mr. Parker, from the same committee, to which was referred a petition, reported a bill for "An act to establish a State road from Jemison's ferry, in Pope county, to Cape Girardeau," which was read a first time, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Parker, from the same committee, to which was referred a certain petition, reported a bill for "An act to open a new street in the city of Chicago, and for other purposes;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Barnett, from the committee on Counties, to which was referred a certain petition, reported a bill for "An act for the removal of the county seat of Henry county;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Buford,

The rule of the Senate was dispensed with, and said bill was read a second and third times by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Davidson from the committee on School Lands and Education, to which was referred a bill from the House of Representatives for "An act to alter the provisions of 'An act making provisions for organizing and maintaining common schools,' approved February 26, 1841," reported the same back with amendments; which were concurred in, and the bill, as amended,

Ordered to a third reading.

Mr. Dougherty, from the committee on Incorporations, to which was referred a bill from the House of Representatives for "An act to incorporate the directors of the Literary and Medical College of the State of Illinois," reported the same back without amendment.

The bill was ordered to a third reading.

Mr. Barnett, from the committee on Counties, to which was referred a bill from the House of Representatives for "An act to authorize the removal of the seat of justice of McHenry county," reported the same back without amendment.

The bill was ordered to a third reading.

Mr. Leviston, from the committee on Internal Improvements, to which was referred a bill for "An act to provide for the sale of railroad lands and materials, and other lands," reported the same back and asked to be discharged from the further consideration of said bill; which was agreed to.

On motion of Mr. Fithian,

Said bill was referred to the committee of the whole Senate, and made the special order of the day for to-morrow, at 2 o'clock, P. M.

Mr. Dougherty, from the committee on Incorporations, to which was referred a certain petition, reported a bill for "An act to correct a mistake in the platting and recording of the plat of Peru;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Harrison, from the committee on Internal Navigation, to which was referred a bill from the House of Representatives for "An act authorizing the construction of a toll bridge across Rock river," reported the same back without amendment.

Ordered that the same be read a third time.

Mr. Harrison, from the same committee, to which was referred a bill from the House of Representatives for "An act to authorize Benjamin B. Gates, and David Higby to extend their mill-dam on the rapids of the Mississippi river," reported the same back without amendment.

Ordered that said bill be read a third time.

Mr. Leviston, from the committee on Incorporations, to which was referred a bill from the House of Representatives for "An act to regulate weights and measures," reported the same back with an amendment; which was concurred in.

Mr. Dougherty moved that said bill be referred to a select committee; which was not agreed to.

Mr. Dougherty further moved that the bill be laid on the table until the 4th of July next, and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Dougherty, Evans, James, Killpatrick, Markley, McMurtry, Minard, Parker, Ralston, Ruggles, Stapp, Vandeventer, Warren, Waters, and Willbanks—16.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Fithian, Harris, Harrison, Henry, Hoard, Houston, Johnson, Leviston, Matteson, Nunnally, Parrish, Slocumb, Thompson, and Wynne—20.

Ordered that the bill, as amended, be engrossed and read a third time.

Mr. Cullom, from the select committee to which was referred a House bill for "An act to locate a State road from Josephine to Knoxville," reported the same back with an amendment; which was concurred in by the Senate.

Ordered that said bill, as amended, be read a third time.

Mr. Dougherty, from the select committee to which was referred a bill from the House of Representatives for "An act to revise 'An act to provide for settlers on lands purchased by the State,'" reported the same back without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Dougherty, from the select committee to which was referred a certain petition, reported the following preamble and resolution; which were adopted:

Whereas, Hezekiah West, of Johnson county, in this State, is a highly meritorious citizen, and beloved and respected by all who know him, for his integrity and love of country; *And whereas*, he served in the revolutionary war, and draws a pension of \$25 per annum from the General Government, a sum altogether inadequate to his wants; therefore,

Resolved by the General Assembly of the State of Illinois, That our Senators be instructed, and our Representatives in Congress be requested, to procure the passage of a law, increasing his pension to a sum not less than \$50 per annum, and that the Governor transmit to each of our Senators and Representatives a copy of this preamble and resolution.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Harrison, from the select committee to which was referred a certain petition, reported a bill for "An act to re-locate the county seat of Carroll county;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Cavarly, from the select committee to which was referred a bill from the House of Representatives for "An act to establish the name of William Carroll Mitchell," reported the same back with an amendment; which was read and concurred in.

The bill, as amended, was ordered to a third reading.

Mr. Waters, from the select committee to which was referred a bill

from the House of Representatives for "An act to create the county of Massac," reported the same back with an amendment; which was concurred in.

Ordered that said bill be read a third time, as amended.

On motion of Mr. Waters,

The rule of the Senate was dispensed with, and the bill was read a third time, and passed, as amended.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment to said bill.

Mr. Killpatrick offered for adoption the following resolution, which, under the rule, lies one day on the table.

Resolved, That the committee on the Judiciary be and they are hereby instructed to report to the Senate forthwith the bill in their possession for "An act to amend the laws of this State in relation to duelling."

Mr. Fithian offered for adoption the following resolution.

Resolved, That the Treasurer of State be requested to report to the Senate, as soon as possible, whether or not John Crenshaw, as lessee of saline lands in Gallatin county, filed with him a bond as said lessee, on the 10th day of December, 1840, as required to do by the second section of "An act to provide for the manufacture of salt at the Gallatin saline," approved December 9, 1840; as also, whether or not said Crenshaw paid to the State Treasury on the second day of December, 1841, the sum of four hundred dollars, as required to do by the act and section of the act above referred to, and if he has not so paid, whether or not said bond, if forfeited, is not violated, and the lease forfeited.

On motion, the rule of the Senate was dispensed with, and the above resolution was taken up and adopted.

Mr. Johnson, on leave, introduced a bill for "An act to amend 'An act concerning estrays,' approved February 9, 1835;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Parrish,

Referred to the committee on the Judiciary.

Mr. Killpatrick, on leave, introduced a bill for "An act to incorporate the town of Winchester, in Scott bounty;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Incorporations.

Mr. Dougherty, from the committee on the Judiciary, to which was referred a bill for "An act to amend the laws of this State in relation to duelling," reported the same back with an amendment; which was concurred in.

Mr. Davis moved to amend the bill by striking out all after the enacting clause, and inserting the following:

"That all laws in regard to duelling be and the same are hereby repealed."

Mr. Wynne moved to lay the bill and amendment on the table until the 4th day of July next.

On motion of Mr. Baker,

The bill and proposed amendment were referred to a select committee.

Ordered, That Messrs. Baker, Killpatrick, and Dougherty, be that committee.

Mr. Killpatrick introduced a bill for "An act to fix the times of holding circuit courts in Scott county," which was read a first time, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Cavarly,

Referred to the committee on the Judiciary.

Mr. Thompson introduced a bill for "An act to authorize the county commissioners of the county of Bureau to borrow money;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Thompson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Engrossed bills of the following titles were severally read a third time, and passed:

"An act vacate the town of Rock Island city;"

"An act concerning the revenue;"

"An act to change the name of the town of St. Marion, in Ogle county to that of Buffalo," and

"An act to locate certain roads therein named."

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act to relieve the Mount Vernon Academy," was read a third time and pending its passage, together with the preamble thereto,

Mr. Cavarly called for a division of the question.

The question was then taken upon the passage of the bill aside from the preamble, and decided in the affirmative, and,

On the question—"Shall the preamble pass?"

It was decided in the negative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Bills from the House of Representatives of the following titles were severally read a third time, and passed:

"An act supplementary to 'An act to apportion the representation of the several counties in this State,' in force February 26, 1841;"

"An act to establish the county of Audubon;"

"An act to authorize Benjamin B. Gates and David Higby to extend their mill-dam on the rapids of the Mississippi river;"

"An act authorizing the construction of a toll bridge across Rock river;"

"An act to authorize the common council of the city of Chicago to straighten Madison street, in said city;"

"An act to incorporate the directors of the Literary and Medical college of the State of Illinois," and

"An act to authorize the removal of the seat of justice of McHenry county."

Ordered, That the titles be respectively as aforesaid, and that Secretary inform the House of Representatives thereof.

A bill for "An act to alter the provisions of 'An act making provisions for organizing and maintaining common schools,' approved February 26, 1841," was read a third time, as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate.

A bill for "An act to create the county of Marquette, and for other purposes therein mentioned," was read, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule was dispensed with, and said bill read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Ralston, Davis and Slocumb, be that committee.

A bill for "An act fixing the times of holding circuit courts in the seventh judicial circuit," was read, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hoard,

The rule was further dispensed with, and said bill read a third time by its title.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A memorial, to the Congress of the United States, and resolution, adopted by the House of Representatives, praying the modification of the laws on the subject of letter postage, &c., were read.

Mr. Killpatrick moved to refer the same to the committee on Retrenchment; which was not agreed to.

Mr. Davis moved that they be laid on the table; which was agreed to.

Mr. Dougherty moved that they be referred to the committee on Internal Improvements; which was not agreed to.

On the question—"Will the Senate concur with the House of Representatives in the adoption of said memorial and resolution?"

It was decided in the affirmative.

A memorial, addressed to the Congress of the United States, and resolutions, adopted by the House of Representatives, on the subject of the reduction of the price of those public lands which have been in market fifteen years, &c., were read, and

On the question—"Will the Senate concur with the House of Representatives in their adoption?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Dougherty, Evans, Fithian, Harris, Houston, James, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parrish, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—31.

Those who voted in the negative, are,

Messrs. Davis, Henry, Hoard, Killpatrick, and Parker—5.

A preamble and resolutions, adopted by the House of Representatives, on the subject of the removal of the obstructions to the navigation of the western waters, were read and concurred in.

A preamble and resolutions, adopted by the House of Representatives, in relation to the importation of salt free of duty into the United States, were read, and,

On the question—"Will the Senate concur with the House of Representatives in their adoption?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Davis, Evans, Harris, Hoard, Houston, James, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—25.

Those who voted in the negative, are,

Messrs. Cullom, Davidson, Dougherty, Fithian, Harrison, Henry, Killpatrick, Ruggles, Smith, Stapp, Waters, and Worthington—12.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Hoard, on leave, introduced a bill for "An act in relation to the school funds of Cook county; which was read, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule was dispensed with, and said bill read a second time by its title.

Mr. McMurtry moved to amend the bill by striking out "ten," and inserting "eight," instead of it.

On motion of Mr. Cavarly,

The bill and amendment was laid on the table until the 4th of July next

On motion of Mr. Stapp,

The order of business was suspended, and engrossed bill for "An act uniting a ferry to William Smith and Vincent C. Smith," was taken from the table, and

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Ralston, on leave, introduced a bill for "An act to limit the rate of interest to be collected by corporations;" which was read, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule was dispensed with, and said bill read a second time.

Mr. Davis moved that the bill be laid on the table until the 4th of May next.

Mr. McMurtry moved that the bill be referred to the committee on School Lands and Education.

Mr. Cavarly proposed the following instructions to that committee:

That they so amend the bill as not to include incorporated townships for school purposes, within its provisions.

The question was then taken on referring the bill to the committee on School Lands and Education, with the said instructions, and decided in the affirmative.

On motion the Senate adjourned.

SATURDAY, FEBRUARY 4, 1843.

Senate met pursuant to adjournment.

Mr. Feaman presented the petition of sundry citizens of Randolph county, praying that the law apportioning the representation in the General Assembly be so amended as to permit said county to vote for representatives apart from the county of Monroe; which was, without reading,

On motion of Mr. Feaman,

referred to the committee on Counties.

Mr. Buford presented the petition of sundry citizens of Whiteside county, praying that the seat of justice for said county be permanently located at Wyndon, in said county; which was referred, without reading, to the committee on Counties.

Mr. Buford also presented the petition of sundry citizens of Rock county, praying that William Dickson and others be permitted to construct a dam across Rock river slough. Also, the petition of many persons of Mercer county, praying that Sullivan & Meyers be permitted to dam sloughs on Rock river, for the purpose of building mills; which was, without reading,

On motion of Mr. Buford,

referred to the committee on Internal Improvements.

Mr. Evans presented the petition of sundry citizens of Fayette, Marion, and Jefferson counties, praying for the location of a State road therein; which was, without reading,

On motion of Mr. Evans,

referred to the committee on Public Roads.

Mr. Killpatrick, from the committee on Counties, to which was referred

red the petition of sundry citizens of Boone county, praying for the establishment of the eastern boundary of said county, reported the same back and asked and obtained a discharge from the further consideration thereof.

On motion of Mr. Markley,

Said petition was laid on the table.

Mr. Parrish, from the committee on Elections, to which was referred a bill from the House of Representatives for "An act to regulate election for Senator and Representative in Richland and Clay counties," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Parrish,

The rule was dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Leviston, from the committee on Internal Improvements, to which was referred a bill from the House of Representatives for "An act for the settlement of the internal improvement fund between the counties of Clay and Richland," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Houston,

The rule of the Senate was dispensed with, and said bill was read third time by its title, and passed.

Ordered That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to authorize the Governor to convey certain lots in the town of Shawneetown to E. J. Durbin," reported the same back, with an amendment, which was concurred in, and said bill, as amended,

Ordered to be engrossed for a third reading.

Mr. Ralston, from the same committee, to which was referred a bill from the House of Representatives for "An act to exempt certain articles from execution," reported the same back, and recommended its rejection.

Mr. Cavarly moved to amend the second section of the bill, by adding thereto the following:

"*Provided*, that any person, being the head of a family, and residing with it, who shall be taken before a probate justice of the peace, on a case, and shall take the benefit of the insolvent laws of this State, shall be allowed the same amount of property, exempt from the provisions of said act, as is provided for by the provisions of this act; and it shall be the duty of said probate justice of the peace, to set apart to such person, the same amount and kind of property as is, or may hereafter be, exempt from execution."

Mr. Ralston moved that the bill and amendment be indefinitely postponed.

A message from the House of Representatives, by Mr. Calhoun:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed the following resolution:

Resolved, That the members of this House will meet in the Hall of the House of Representatives, at 2 o'clock, P. M. of this day, to attend the funeral of the Hon. John Green, deceased, and that the Clerk inform the Senate thereof, and request their attendance.

On motion of Mr. Cavalry,

The order of business was suspended.

Mr. Cavalry then announced the death of the Hon. John Green, late a Representative from the county of Greene, in the present General Assembly, and offered for adoption the following preamble and resolutions:

Whereas, it having been made known to this Senate that the funeral services of the Hon. John Green, late a member of the House of Representatives, will take place in the Hall of the House of Representatives, at half past two o'clock this day; therefore,

Resolved, That that the members of the Senate will meet in the Senate Chamber, at half past two o'clock, this day, and proceed to the Hall of the House of Representatives, to attend the funeral of said deceased.

Resolved, That as a mark of respect for said deceased, the members of this Senate will wear crape upon the left arm for thirty days.

Resolved, That as a further mark of respect for said deceased, the Senate do now adjourn.

The rule was dispensed with, and said preamble and resolutions adopted.

Mr. Speaker pronounced the Senate adjourned.

MONDAY, FEBRUARY 6, 1843.

Senate met pursuant to adjournment.

Mr. Crain presented the remonstrance of fifty-five citizens of Clinton county, against the passage of a law in relation to the Shoal creek bridge, in said county; which was, without reading,

On motion of Mr. Crain,

Referred to the select committee having in charge a bill in relation to said bridge.

Mr. Thompson presented a petition, praying the establishment, as therein specified, of a road from Charleston to Peoria; which was, without reading, with accompanying documents,

On motion of Mr. Thompson,

Referred to the committee on Public Roads.

Mr. Buford presented the remonstrance of certain citizens of Rock Island county, against granting a charter to Sullivan & Meyers, authorizing them to dam sloughs on Rock river; which was, without reading,

On motion of Mr. Buford,

Referred to the committee on Internal Improvements.

Mr. Evans presented the petition of sundry citizens of Fayette county, praying the General Assembly to memorialize Congress to legalize the sales, by authority of the State, of sections sixteen; also, the petition of citizens of the same county, praying for the location of a road from Vandalia to Louisville, in Clay county; which were, without reading,

On motion of Mr. Evans,

Referred as follows: the first named petition to the committee on School Lands and Education, and the last to the committee on Public Roads.

Mr. Parker, from the committee on Public Roads, to which was referred a bill from the House of Representatives for "An act to locate a State road from Lancaster Landing, in Peoria county, to Farmington, in Fulton county," reported the same back, without amendment.

Ordered to a third reading.

On motion of Mr. Markley,
The bill was read a third time by its title, and,
On the question—"Shall the bill pass?"
It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Leviston, from the committee on Internal Improvements, to which was referred a bill from the House of Representatives for "An act for the relief and benefit of Richland county," reported the same back, without amendment.

Ordered that said bill be read a third time.

Mr. Killpatrick, from the committee on Counties, to which was referred the petition of sundry citizens of Whiteside county, reported a bill for "An act to permanently locate the seat of justice of the county of Whiteside;" which was read, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, and said bill read a second time by its title.

Ordered that said bill be engrossed and read a third time.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act for the better regulation of county treasuries and county funds," reported the same back, with an amendment, which was concurred in, and the bill, as amended,

Ordered to be engrossed and read a third time.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act to legalize certain proceedings of the trustees of schools for township thirty-three north, range three east, and for other purposes," reported the same back, without amendment.

Ordered that said bill be read a third time.

Mr. Davidson, from the committee on School Lands and Education, to which was referred the petition of the county commissioners of Kendall county, reported a bill for "An act to pay over school money to the county of Kendall;" which was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Dougherty, from the committee on Incorporations, to which was referred a bill from the House of Representatives for "An act to incorporate the Oak Grove Cemetery Association," reported the same back, without amendment, and recommended its rejection.

On the question—"Shall the bill be ordered to a third reading?"
It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Dougherty, from the same committee, to which was referred a like bill for "An act to incorporate the Monticello Female Seminary," reported the same back, without amendment.

Ordered that said bill be read a third time.

Mr. Waters, from the committee on Internal Navigation, to which was referred a bill for "An act to amend 'An act regulating mills and millers,'" reported the same back, with an amendment.

On motion of Mr. Catlin,

The bill and amendment were laid on the table until the 4th of July next. A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in their amendment to the bill for "An act to create the county of Massac."

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act for the benefit of minor heirs," reported the same back, with an amendment.

On motion of Mr. Cavarly,

The amendment was amended, by filling the blank in the same with "January 6th, 1843."

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate two communications.

Mr. Parrish moved to amend the amendment just reported by the committee on the Judiciary, by striking it out, and inserting in lieu thereof the following:

"That hereafter it shall be lawful for any administrator, executor, or guardian, and they are hereby required, to make out and exhibit to the court of probate of the proper county, at the time of settlement as now required by law, all such accounts as cannot be by them collected under the provisions of 'An act regulating the sale of property,' approved January 6, 1843.

"SEC. 2. And in all such cases the court aforesaid, shall extend the settlement of such accounts from year to year, until the same can be collected, as now provided by law.

"SEC. 3. That in all cases where any administrator, executor, or guardian, as aforesaid, shall not be able to collect moneys due to any estate as aforesaid, by reason of any law now in existence, it shall be lawful for such administrator, executor, or guardian to take new notes, with approved security, for twelve months longer, with interest thereon, the same to be approved by the judge of probate.

"SEC. 4. All persons indebted to any estate, and failing to give bond with approved security, as provided for in this act, when required so to do by any administrator, executor, or guardian, it shall be the duty of such administrator, executor, or guardian to proceed to collect the amount so due, without regard to valuation, as now provided by law.

"SEC. 5. It shall be the duty of the Secretary of State, and he is hereby required to furnish the court of probate of each county in this State a copy of this act so soon as may be after the passage of this act.

"SEC. 6. This act to take effect and be in force from and after its passage." The question was then taken on the adoption of the amendment proposed by Mr. Parrish to the amendment, and decided in the negative.

Mr. Davidson moved that the bill and amendment be referred to a select committee of five; which was not agreed to.

The question was then taken on concurring with the committee on the Judiciary in the amendment reported by them, and decided in the affirmative.

Ordered that said bill, as amended, be engrossed for a third reading.

Mr. Dougherty, from the same committee, which had had under consideration a resolution instructing that committee to inquire into the expediency of reporting a bill repealing all laws requiring special bail on *capias*, &c., reported the same back to the Senate, and obtained a discharge from its further consideration.

On motion of Mr. Cullom,

Said resolution was laid on the table.

On motion of Mr. Vandeventer,

Leave of absence was granted to Mr. Barnett for six days, from Friday last.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act providing for the making of an index to the records of Cook county, and for other purposes," reported a substitute therefor, which was concurred in, and

Ordered to be engrossed for a third reading.

Mr. Ralston, from the same committee, which had had under consideration a resolution instructing them to inquire into the expediency of amending the revenue laws, reported the same back, and obtained a discharge from its further consideration.

On motion of Mr. Ralston,

Said resolution was laid on the table.

Mr. Crain, from the select committee to which was referred a petition of sundry citizens of Washington and Clinton counties, reported a bill for "An act concerning the sixteenth section, township one south, range five west, lying in the counties of Washington and Clinton," which was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on School Lands and Education.

Mr. Warren, from the select committee to which was a bill from the House of Representatives for "An act for the formation of the county of Okaw," reported the same back, with amendments; which were concurred in, and the bill, as amended,

Ordered to a third reading,

On motion of Mr. Warren,

The rule was dispensed with, and said bill read a third time by its title.

On the question—"Shall the bill pass, as amended?"

It was decided in the affirmative.

On motion of Mr. Warren,

The title of the bill was amended, by striking out the word "Okaw," and adding instead thereof the word "Moultrie."

Ordered, That the title be as amended, and the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments of the Senate.

Mr. Speaker announced a communication from the Governor upon Executive business.

On motion of Mr. Cavarly,
The communication was acted on with open doors.
The same was read, as is as follows:

EXECUTIVE DEPARTMENT,
Springfield, February 6, 1843.

To the Honorable the Senate:

I nominate Albert E. Smith to be Notary Public for the county of McHenry.

I also nominate Charles D. Pulver to be Notary Public at Pleasant Grove, in the county of McHenry, agreeably to the petition of fifty legal voters of said county,

THOMAS FORD.

On motion of Mr. Cavarly,

The above nominations were advised and consented to by the Senate.

Mr. Cavarly presented the petition of inhabitants of Greenfield, in Greene county, praying for an act of incorporation; which was, without reading, on his motion, referred to the committee on Incorporations.

Mr. Davidson offered for adoption the following resolution, which, according to the rule, lies one day on the table:

Resolved, That a select committee of five be appointed to review the law passed at this session of the General Assembly, entitled "An act regulating the sale of property on judgments and executions," and should they deem such law defective, to report a bill amending the same.

On motion of Mr. Davidson,

The rule was dispensed with, and said resolution considered and adopted.

Ordered, That Messrs. Davidson, Ralston, Henry, Cavarly, and Dougherty be said committee.

Mr. Cullom offered for adoption the following preamble and resolutions, which lie one day on the table:

Whereas, according to the message of Ex-Governor Carlin, the right is claimed that the Legislature has a right to repeal any act of a previous Legislature; *And whereas*, the present Legislature is about to incorporate a company to complete the Illinois and Michigan Canal; *And whereas*, such doctrines, if adhered to, will have the effect to prevent all persons from taking stock in said company while such doctrines prevail; therefore,

Resolved by the Senate, the House of Representatives concurring herein, That we disavow all such doctrines.

Resolved, That this Legislature does not believe that they possess any right to interfere with vested rights.

Mr. Cavarly offered for adoption the following resolution, which lies one day on the table:

Resolved, That a committee of three be appointed by the Senate to propose to the president, directors and company of the Bank of Illinois, at Shawneetown, or their authorized agent, a bill, similar in its provisions, as near as practicable, to the law passed at the present session, in relation to the State Bank of Illinois, for their approval or rejection, and that said committee be instructed to report thereon as soon as practicable.

Mr. Dougherty, on leave, introduced a bill for "An act to stay executions and secure the payment of debts;" which was read, and

Ordered to a second reading.

Mr. Vandeventer, on leave, introduced a bill for "An act explanatory of an act entitled 'An act regulating the sale of property on judgments and executions,' approved January 6th, 1843;" which was read, and
Ordered to a second reading.

Mr. Vandeventer moved that the rules be dispensed with, and that said bill be read a second time by its title; which was not agreed to.

Mr. Parker, on leave, introduced a bill for "An act to review and re-locate a State road leading from Princeton to Pawpaw Grove;" which was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Thompson,

Referred to a select committee of five.

Ordered, That Messrs. Thompson, Ruggles, Stapp, Minard, and McMurtry be that committee.

Mr. Ralston, on leave, introduced a bill for "An act further to amend the law relating to practice in courts;" which was read, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with and the bill was read a second time by its title, and referred to the committee on the Judiciary.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Wynne introduced a bill for "An act to enable Smith Turner, of Mason county, to establish a ferry across the Sangamon river;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Wynne,

Referred to a select committee.

Ordered, That Messrs. Wynne, Baker, and Cullom be that committee.

Mr. Fithian introduced a bill for "An act to authorize Vermilion and Iroquois counties to sell certain lands, and make certain payments to Champaign county, and for other purposes;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the

Senate, that they have passed a bill for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the canal debt."

In the passage of which they ask the concurrence of the Senate.

Mr. Killpatrick introduced a bill for "An act in relation to the town of Manchester;" which was read a first time, and

Ordered to a second reading,

On motion of Mr. Killpatrick,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Henry introduced a bill for "An act to appoint a common school superintendant and for other purposes;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Henry,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on School Lands and Education.

Mr. Parker introduced a blank bill for "An act to provide for the division of Coles county;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Parker, Warren, and Fithian be that committee.

Mr. Waters introduced a bill for "An act authorizing John M. Robinson and others to establish a ferry, and for other purposes;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Waters,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

Mr. Davidson moved to amend the bill, by adding the following as an additional section, to wit:

"SEC. 4. The Legislature hereby reserves to itself the right to repeal this act whenever the public good may require it;" which was agreed to.

The bill, as amended, was ordered to be engrossed for a third reading.

Mr. Ralston introduced a bill for "An act to prevent cities and towns from issuing warrants to circulate as money;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

Mr. Baker moved to amend the bill, by adding the following as an additional section, to wit:

"SEC. Hereafter no paper evidence of indebtedness, of any sort, shall be issued by any officer of this State, nor any town, city, or corporation within its limits."

On motion of Mr. Cavarly,

The proposed amendment was laid on the table, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Dougherty, Evans, Feaman, Fithian, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—38.

Mr. Stapp moved to lay the bill on the table until the 4th day of July next; which was decided in the negative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davis, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Nunnally, Parker, Ruggles, Smith, Stapp, Vandeventer, and Waters—18.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Feaman, Houston, James, Leviston, Markley, Matteson, Minard, Parrish, Ralston, Slocumb, Thompson, Warren, Willbanks, Worthington, and Wynne—21.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Killpatrick moved to amend the bill under consideration, by striking out the word "town," wherever it occurs in the bill; which was not agreed to, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Fithian, Johnson, Killpatrick, Ruggles, Smith, Stapp, Vandeventer, and Worthington—11.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Feaman, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Thompson, Warren, Waters, Willbanks, and Wynne—25.

Mr. Hoard moved to amend the bill by adding the following proviso:

"*Provided*, that in the payment of any contract for improvements in any city or town in this State, such payment may be made in evidences of indebtedness, in such sum as the contractor may desire, not less than twenty dollars, when the amount of such indebtedness shall exceed that sum; *And provided further*, that no evidence of indebtedness, or promise to pay any sum of money, shall be issued by any town, city or other corporation, except in payment of improvements actually made, or for labor actually performed, or for debts actually due by such corporation;" which was not agreed to.

Mr. Killpatrick moved to amend the bill, by adding the following, as an additional section, to wit:

"Sec. N. negotiable note, made payable to any person or bearer, and signed by any person or corporation, shall be received by any person in this State in the payment of debts, or in exchange for any article of merchandize or trade."

Mr. Dougherty moved to lay the proposed amendment on the table; which was agreed to, by the following vote:

Those who voted in the affirmative, are,
Messrs. Baker, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Dougherty, Evans, Feaman, Fithian, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—36.

Mr. Worthington moved to amend the bill, by adding the following to the first section, to wit:

“Auditor’s warrants shall not be issued in less sums than the whole amount due at the time such warrant is drawn;” which was,

On motion of Mr. Warren,

Laid on the table, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Dougherty, Evans, Feaman, Hoard, Houston, James, Johnson, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—26.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Fithian, Killpatrick, Minard, Ruggles, Smith, Stapp, and Worthington—10.

Mr. Warren moved the previous question; and,

On the question—“Shall the main question be now put?”

It was decided in the affirmative.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the affirmative, by the following vote:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Feaman, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—25.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Fithian, Hoard, Johnson, Killpatrick, Ruggles, Smith, Stapp, and Worthington—11.

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 7, 1843.

Senate met pursuant to adjournment.

Mr. Speaker laid before the Senate a communication from the Treasurer of State, made in compliance with a resolution of the Senate, adopted on the third instant, calling for certain information in relation to the lessee of the Gallatin county saline; which was read, and,

On motion of Mr. Fithian,

Referred to the committee on Salines and Saline Lands.

Mr. Speaker, also, laid before the Senate another communication from the Treasurer, made in compliance with a resolution of the Senate, adopted on the 13th ultimo, calling upon that officer for additional informa-

tion in relation to sales of internal improvement property; which was read, and,

On motion of Mr. Fithian,

Referred to the committee of the whole Senate.

Mr. Speaker, also, laid before the Senate a communication from the Governor, transmitting a communication, bearing date at the Hermitage, 24th January, 1843, from General Andrew Jackson, acknowledging the receipt, from the Governor, of a copy of the resolutions adopted by the General Assembly of this State, in relation to the fine imposed upon Gen. Jackson by Judge Hall, for an alleged contempt, &c.; which communication was read, and,

On motion of Mr. Cavarly,

Laid on the table.

Mr. Buford presented a petition and a remonstrance of sundry citizens of Rock Island county, for and against the passage of a law, authorizing William Dickson to erect a dam across Rock river slough; which were, without reading,

On motion of Mr. Buford,

Referred to the committee on Internal Improvements.

Mr. Matteson, from the committee on Finance, to which was referred the petition of J. Root and others, on the subject of the payment of State debts, reported the same back, and obtained a discharge from its further consideration.

On motion of Mr. Markley,

Said petition was laid on the table.

Mr. Davidson, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives for "An Act to enable the inhabitants of incorporated townships to dissolve their incorporations, reported the same back, without amendment.

Ordered that the bill be read a third time.

Mr. Leviston, from the committee on Internal Improvements, to which was referred the petition of Redman & Case, praying a remuneration for materials furnished on the Great Western Mail Route, &c., reported the same back, and obtained a discharge from its further consideration.

On motion of Mr. Parrish,

Said petition was laid on the table.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled, and laid before the Council of Revision, for their approval, a bill for "An act to punish the crime of incest."

Mr. McMurtry, from the select committee, to which was referred a petition and remonstrance of sundry citizens of Knox county, reported a bill for "An act to authorize the levying of a tax for school purposes, in township eleven north, range one east;" which was read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rules were dispensed with, and said bill was read a second time by its title,

Ordered that the bill be engrossed and read a third time.

Mr. Vandeventer, from the select committee to which was referred a bill for "An act supplemental to an act entitled 'An act regulating the sale of property,' approved January, 1843," reported the same back and obtained a discharge from its further consideration.

On motion of Mr. Vandeventer,

Said bill was referred to the select committee of five appointed on yesterday in obedience to a resolution of the Senate.

Mr. Crain, from the select committee to which was referred a bill from the House of Representatives for "An act in relation to the bridge across Shoal creek, in Clinton county," reported the same back, with an amendment.

Mr. Parrish moved that the bill and proposed amendment be referred to the committee on Internal Navigation; which was not agreed to.

Mr. Willbanks moved that the amendment be laid on the table; and the question being taken thereon, it was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Davidson, Evans, Houston, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Nunnally, Parrish, Slocumb, Stapp, Thompson, Waters, and Willbanks—18.

Those who voted in the negative, are,

Messrs. Baker, Buford, Crain, Cullom, Feaman, Fithian, Harrison, Henry, Hoard, Johnson, Minard, Ralston, Ruggles, Warren, Worthington, and Wynne—16.

Mr. Crain moved that the bill be laid on the table; and the question being taken thereon, it was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Crain, Cullom, Feaman, Fithian, Harrison, Hoard, Minard, Nunnally, Ralston, Ruggles, Smith, Vandeventer, Warren, and Waters—18.

Those who voted in the negative, are,

Messrs. Davidson, Evans, Henry, Houston, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Parrish, Slocumb, Stapp, Thompson, Willbanks, Worthington, and Wynne—18.

Mr. Speaker voted in the negative.

Ordered that said bill be read a third time.

Mr. Wynne, from the select committee to which was referred a bill for "An act to enable Smith Turner, of Mason county, to establish a ferry across the Sangamon river," reported the same back, without amendment.

Ordered that said bill be engrossed for a third reading.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed a bill for "An act to change the times of holding courts in the third judicial circuit."

In the passage of which they ask the concurrence of the Senate.

Mr. Leviston offered for adoption the following resolution, which under the rule, lies one day on the table:

Resolved, That the committee on Salines and Saline Lands be instructed to inquire into the expediency of reporting a bill authorizing the State Treasurer to receive from John Crenshaw, the lessee of the Gallatin Saline, the amount due by him for rent, in the notes of the State Bank of Illinois, or the Bank of Illinois at Shawneetown; or to reduce the same

one half and require it to be paid in gold, silver, or Auditor's warrants, and to require the payment forthwith to be made.

On motion of Mr. Fithian,

The rules were dispensed with, and said resolution acted upon.

On motion of Mr. Fithian,

Said resolution was amended by adding thereto the following:

"And that said committee inquire into the fact whether said Crenshaw has complied with the provisions of the law under which he acted as lessee of the State, and whether he has forfeited his lease."

The resolution as amended was then adopted.

Mr. Fithian offered for adoption the following resolution, which, under the rule lies one day on the table:

Resolved, That the Auditor of Public Accounts, be requested to report to the Senate the whole number of acres of saline lands, originally belonging to this State; in what county each tract of said saline lands was situated; what number of acres has been donated to persons or counties, and to what person or county; what number of acres has been sold for cash, and what disposition has been made of the money thus realized; who have been commissioners of saline lands; under what law appointed, and whether any of said commissioners are in arrears with the State on account of saline lands, and if so, which of said commissioners, and in what amount; also, whether any lessees of said saline lands are in arrears to the State, if so, who are so in arrears, in what amount, and for what length of time they have been in arrears.

On motion of Mr. Parrish,

The rule was dispensed with, and said resolution considered and adopted.

Mr. Dougherty offered for adoption the following preamble and resolution, which lie one day on the table:

Whereas, deep and lasting interests are involved in the distribution of the proceeds of the public lands, calculated to effect the interests of the west and south-western States, as sovereign members of the confederacy, and without a speedy change in the policy adopted by the General Government, the relation of land lord and tenant must long exist between the western States and their elder sisters of this nation; *And whereas*, for the purpose of efficient and successful action, it will become necessary to act with union and concession; *And whereas*, we view with deepest concern the continual increase of desertion of the slaves of our brethren of the slave-holding States, and feeling that to act with effect to check the evil and restore to the owners of the slaves their property, there should be harmony and good understanding between the slave-holding and non-slave-holding States in the valley of the Mississippi; therefore,

Be it resolved by the Senate, the House of Representatives concurring herein, That we recommend to our brethren of the States of Louisiana, Mississippi, Alabama, Kentucky, Tennessee, Arkansas, Missouri, Indiana, Ohio, and Michigan to meet in general convention at Jonesboro, Illinois, on the 4th day of July next for the purpose of devising ways and means to effect these desirable objects. First, to be admitted into the union of these United States on an equal footing in all respects with the elder members of this Republic, and like them possess the right of emi-

nent domain. Second, the best means of preventing the slaves of the slave-holding States from desertion from their masters, and restoring such as shall desert, at convenient places, to their masters.

Resolved, That the Governor transmit copies of this preamble and resolution to the Governors of the several States herein enumerated.

Mr. Leviston, offered for adoption the following resolution, which lies one day on the table:

Resolved, That the committee on Salines and Saline Lands, be instructed to inquire into the expediency of requiring the commissioner of the Gallatin Salines to pay over to the Treasurer, instead of depositing in the Bank of Illinois, as now required by law, all money that may come into his hands.

Mr. Wynne introduced a bill for "An act to amend 'An act permanently locating the county seat of Mason county;'" which was read, and *Ordered to a second reading*.

On motion of Mr. Wynne,

The rules were dispensed with, and said bill read a second time by its title; and,

On motion of Mr. Markley,

Referred to the committee on Counties.

Mr. Hoard, on leave introduced a bill for "An act for the relief of the estate of John Wright, deceased;" which was read, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule was dispensed with, and the said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Slocumb, on leave, introduced a bill for "An act to authorize the county commissioners of Wayne county, to transfer a certain lot of ground therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Slocumb,

The rule was dispensed with, and said bill read a second time by its title.

Ordered, that said bill be engrossed and read a third time.

Mr. Baker, on leave, introduced a bill for "An act for the relief Abram A. Vandegrift and others;" which was read, and

Ordered to a second reading.

On motion of Mr. Baker,

The rule was dispensed with, and said bill read a second time by its title.

Ordered, that said bill be engrossed and read a third time.

Mr. Ruggles, on leave, introduced a bill for "An act to locate a State road therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, and said bill read a second time by its title.

Ordered, that said bill be engrossed and read a third time.

Mr. Parrish, on leave, introduced a bill for "An act to authorize the county commissioners' court of Jackson county to borrow money," which was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Parrish, Willbanks, and Henry, be that committee.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Buford,

The rule of the Senate was dispensed with, and an engrossed bill for "An act to permanently locate the seat of justice of Whiteside county," was taken up, read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with to enable him to introduce the following resolution, to-wit:

Resolved, That the Auditor of Public Accounts be requested to report to the Senate at as early a day as convenient, information to the following effect:

First, the amount of revenue collected in each year since the year 1835; designating the amount received by way of taxes on property, the amount received on bank bonuses and dividends, and the amount received from all other sources, not including money borrowed or money received from the General Government. Second, the amount of money paid out of the Treasury in each year since the year 1835, designating the payment made to counties for school purposes, and the payments on account of public buildings, and the amount of payments for all other purposes.

On motion of Mr. Ralston,

The rule of the Senate was further dispensed with in order that the resolution might be considered now.

The question was then taken on the adoption of the resolution and decided in the affirmative.

The bill from the House of Representatives for "An act to exempt certain articles from execution," with the amendment to the same, proposed on Saturday last by Mr. Cavarly, coming up for consideration, and the question pending being upon the motion of Mr. Ralston to postpone indefinitely the consideration of said bill and amendment, that question was put, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Dougherty, Feaman, Houston, James, McMurtry, Parrish, Ralston, Ruggles, and Slocumb—9.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Evans, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Leviston, Markley, Matteson, Minard, Nunnally, Parker, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—29.

Mr. Stapp moved to amend said amendment by adding thereto the following:

"Provided, further, that the additional articles, over and above the articles exempt by virtue of the operation of former laws, to be exempt from execution, shall not be exempt from execution issued upon any judgment heretofore obtained, or hereafter to be obtained, upon any contract made previous to the passage of this law."

On motion of Mr. Markley,

Said amendment to the amendment was laid on the table, by the following vote:

Those voting in the affirmative, are,

Messrs. Buford, Cavarly, Crain, Evans, Fithian, Henry, Hoard, Killpatrick, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Smith, Thompson, Warren, Waters, Willbanks, and Wynne—20.

Those voting in the negative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Dougherty, Feaman, Harrison, Houston, James, Johnson, Leviston, Ralston, Ruggles, Slocumb, Stapp, Vandeverter, and Worthington—17.

The question was then taken on the adoption of the amendment proposed by Mr. Cavarly, and decided in the affirmative.

Mr. Johnson moved to amend the bill by adding the following, as an additional section:

"SEC. 6. Nothing in this act shall be so construed as to prevent landlords from holding a lien on the crop growing or grown on land for rent due for the same."

Mr. Warren moved to lay the additional section proposed on the table; and the question being taken thereon, it was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Cavarly, Crain, Evans, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Warren, Waters, Willbanks, and Wynne—16.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Cullom, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Ruggles, Smith, Stapp, Thompson, Vandeverter, and Worthington—20.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved a bill for "An act to punish the crime of incest."

The question was then taken on the adoption of the additional section, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cullom, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Ruggles, Smith, Stapp, Thompson, Vandeverter, and Worthington—19.

Those who voted in the negative, are,

Messrs. Cavarly, Crain, Evans, James, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Warren, Waters, Willbanks, and Wynne—17.

The question, was then taken on ordering the bill to a third reading, as amended, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Cullom, Evans, Fithian, Henry Hoard, Johnson, Killpatrick, Leviston, Markley, Matteson, Minard, Nally, Parker, Smith, Thompson, Warren, Waters, Willbanks, and Wynne—23.

Those who voted in the negative, are,

Messrs. Baker, Davidson, Dougherty, Feaman, Harrison, House, James, McMurtry, Parrish, Ralston, Ruggles, Slocumb, Stapp, Vanciver, and Worthington—15.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 8, 1843.

Senate met pursuant to adjournment.

Mr. Baker presented a petition, having numerous signatures, praying the repeal of the charter of the city of Springfield, also, the petition sundry inhabitants of township thirteen north, range five west, praying for authority to dispose of the 16th section of said township; the reading of which, was,

On motion of Mr. Baker,

Dispensed with, and the first named petition referred to the committee on Incorporations, and the last to the committee on School Lands and Education.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill for "An act for the relief of the estate of Jno. Wright, deceased," reported the same back with an amendment; which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

Mr. Wynne, from the committee on Counties, to which was referred a bill for "An act to amend 'An act permanently locating the county seat of Mason county,'" reported the same back, and recommended rejection.

On motion of Mr. Markley,

Said bill was laid on the table.

Mr. Parker, from the committee on Public Roads, to which was referred a bill from the House of Representatives for "An act in relation to Cumberland Road," reported the same back, with an amendment; which was concurred in, and the bill,

On motion of Mr. Parker,

Referred to the committee on the Judiciary.

Mr. Cavarly, from the committee on Public Accounts and Expenses, to which was referred a bill from the House of Representatives for "An act to amend an act entitled 'An act to incorporate the United Agricultural Society,'" reported the same back to the Senate, with amendment, accompanied by a report; which was read.

On the question—"Shall the bill be ordered to a third reading?" was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Cullom, Davidson, Evans, Feaman, Harrison, Henry, Hoard, Johnson, Matteson, Minard, Ruggles, Slocumb, Stapp, Warren, Waters, Willbanks, and Worthington—20.

Those voting in the negative, are,

Messrs. Dougherty, Fithian, Houston, James, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Vandeventer, and Wynne—14.

On motion of Mr. Hoard,

Leave was granted to the committee to withdraw the report just read.

Mr. Johnson, from the select committee to which was referred a bill from the House of Representatives for "An act applying the bonus of Bond county to the school fund of said county," reported the same back, without amendment.

Ordered that said bill be read a third time.

Mr. Henry, from the select committee to which was referred a bill from the House of Representatives for "An act to repeal an act entitled 'An act to regulate foreign insurance company agencies, established in the State of Illinois, and for other purposes,'" reported the same back, with an amendment; which was concurred in, and said bill as amended,

Ordered to a third reading.

Mr. Warren offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That the resolution passed some time since allowing one room of the State House to be used by the people of Sangamon county, be and the same is hereby rescinded, and that, in future, the State House, and the furniture appertaining to the same, shall only be used for the legitimate purposes for which the same was originally intended.

Mr. Harrison, on leave, introduced a bill for "An act authorizing Charles G. Eldridge to keep a ferry across the Mississippi river;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on Internal Navigation.

Mr. Minard, on leave, introduced a bill for "An act to locate a State road therein named," which was read a first time, and

Ordered to a second reading.

On motion of Mr. Minard,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Dougherty, on leave, introduced a bill for "An act to protect the Illinois and Michigan canal and canal lands;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee of five.

Ordered, That Messrs. Dougherty, Hoard, Fithian, Matteson, and Davidson, be that committee.

Mr. Ralston, on leave, introduced a bill for "An act to amend the charter of the city of Quincy;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on the Judiciary.

Mr. Crain, on leave, introduced a bill for "An act in relation to public roads in the county of Washington;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Cavarly, on leave, introduced a bill for "An act distributing the three per cent. fund to the counties for purposes of Education;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Finance.

Mr. Stapp introduced a bill for "An act to authorize the county commissioners' court of Warren county, to pay out certain bank bills at their current value;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Stapp,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Finance.

Mr. Johnson, on leave, introduced a bill for "An act to regulate the time of redemption of real estate sold for taxes by town or city incorporations;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Incorporations.

Mr. Johnson, on leave, introduced a bill for "An act to re-locate a part of the St. Louis road;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule of the Senate, was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Engrossed bills of the following titles were severally read a third time and passed.

"An act to amend 'An act to establish a State road from Jemison's Ferry, in Pope county, to Cape Girardeau,' in force March 2, 1833;"

"An act to correct a mistake in the platting and recording of the plat of Peru;"

"An act to re-locate the county seat of Carroll county;"

"An act to open a new street in the city of Chicago, and for other purposes;"

"An act to establish a State road therein named;"

"An act to authorize the the county commissioners' of the county of Bureau to borrow money;"

"An act to authorize the Governor to convey certain lots, in the town of Shawneetown, to E. J. Durbin;"

"An act for the regulating of county treasuries and county funds;"

"An act in relation to the town of Manchester," and

"An act to pay over school money to the county of Kendall."

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act for the benefit of minor heirs," was read a third time.

On motion of Mr. Cavarly,

The bill was amended in the first section, by inserting after the words, "shall fail," the words, "or refuse without reasonable excuse."

The question was taken on the passage of the bill as amended, and decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Mr. Speaker laid before the Senate a communication from the Governor, enclosing a letter from Ex-Governor Carlin, containing information of the negotiation of the latter of State bonds; which communication and letter were read, and,

On motion of Mr. Dougherty,

Referred to the committee on Internal Improvements.

Mr. Speaker also laid before the Senate another communication from the Governor, in relation to the delivery by the State Bank, to his Excellency, of one million seven hundred and eighty-six thousand dollars in State bonds, &c., stating that said bonds had been registered in the Secretary's office, and giving information of his readiness to produce them in front of the State House, at 2 o'clock, on Thursday, the 9th inst., that they might be destroyed in the presence of the General Assembly; which communication was read.

Mr. Dougherty moved that the same be laid on the table, and one thousand copies thereof printed.

Mr. Stapp called for a division of the question, and the same being taken, first upon laying the communication on the table,

It was decided in the negative.

The question was then taken on laying the communication on the table, and printing one thousand copies, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Davidson, Dougherty, Evans, Feaman, Hous-

ton, James, Johnson, Leviston, Markley, Matteson, Minard, Nunnally, Parker, Vandeventer, and Wynne—17.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Crain, Cullom, Fithian, Harrison, Henry, Hoard, Killpatrick, McMurtry, Parrish, Ruggles, Slocumb, Stapp, Thompson, Warren, Waters, Willbanks, and Worthington—19.

Mr. McMurtry moved that the communication be laid on the table and five hundred copies thereof be printed, and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Feaman, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Parrish, Slocumb, Thompson, Vandeventer, Warren, and Waters—24.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Fithian, Harrison, Henry, Johnson, Killpatrick, Nunnally, Ruggles, Stapp, Willbanks, Worthington, and Wynne—13.

On motion of Mr. Fithian.

The Senate resolved itself into a committee of the whole to take into consideration a bill for "An act appropriating certain property to the payment of the State debt," and a bill for "An act to provide for the sale of railroad lands and materials, and other lands;" also, a bill from the House of Representatives for "An act to provide for the sale of the public property and the payment of the public debt;" Mr. Baker in the chair.

After some time, Mr. Speaker resumed the chair, and Mr. Baker reported that the committee had made progress, and asked and obtained leave to sit again upon said bills, as a special order on to-morrow at 2 o'clock, P. M.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill of the following title, to wit:

A bill for "An act to reduce the number of officers upon the Illinois and Michigan Canal," and ask the concurrence of the Senate in the passage of said bill.

Mr. Ralston, on leave, introduced a bill for "An act to extend the jurisdiction of the several counties bordering on the Mississippi and Wabash rivers;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

Ordered to be engrossed for a third reading.

Mr. Baker, on leave, introduced a bill for "An act for the purposes therein named;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Baker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Internal Improvements.

Mr. Ralston, on leave, introduced the petition of the Governor and Judges of the Supreme Court;" which was read, and,

On motion of Mr. Ralston,

Referred to the committee on the Judiciary.

Mr. Ralston, on leave, introduced a bill for "An act in relation to the law library and Council of Revision;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on the Judiciary.

Mr. Speaker laid before the Senate a communication from the Auditor of Public Accounts, in reply to a resolution of the Senate calling on him for certain information relative to the leasing of saline lands; which was read, and,

On motion of Mr. Stapp,

Laid on the table.

Mr. Worthington, on leave, introduced a bill for "An act to vacate the town plat of Reedfield in the county of Pike;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Worthington,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Internal Navigation.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 9, 1843.

Senate met pursuant to adjournment.

Mr. Ryan presented the petition of the contractors and laborers upon the Illinois and Rock River Railroad, praying for relief; also, the petition of sundry citizens of La Salle county, praying an alteration of the law in relation to negroes and mulattoes; the first of which was, without reading,

On motion of Mr. Ryan,

Referred to the committee on Internal Improvements, and the last, to the committee on the Judiciary.

Mr. Crain, from the committee on School Lands and Education, to which was referred a bill for "An act concerning the sixteenth section, township one south, range five west, lying in the counties of Washington and Clinton," reported the same back without amendment.

Ordered that the bill be engrossed for a third reading.

Mr. Harrison, from the committee on Internal Navigation, to which was referred a bill for "An act authorizing Charles G. Eldridge to keep a ferry across the Mississippi river," reported the same back without amendment.

Ordered that the bill be engrossed for a third reading.

Mr. Killpatrick, from the committee on Counties, to which was referred the petition of sundry citizens of Sangamon county, praying the creation of a new county on the north side of Sangamon river, reported said petition back, and obtained a discharge from its further consideration.

On motion of Mr. Markley,

The petition was laid on the table.

Mr. Killpatrick, from the same committee, to which was referred the petition of sundry citizens of Randolph county, reported a bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties in this State;'" which was read, and

Ordered to a second reading.

On motion of Mr. Feaman,

The rule was dispensed with, and said bill read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Feaman, Crain, and Catlin be that committee.

Mr. Ralston, from the committee on the Judiciary, to which was referred the petition of the Governor and Judges of the Supreme Court, together with a bill for "An act in relation to the law library and Council of Revision," reported said bill back without amendment, and recommended its passage.

Mr. McMurtry moved to amend the bill by adding thereto, the following:

"*Provided*, that the circuit court of the county of Sangamon may be held in the room herein appropriated and set apart for the law library, and for the use of the Council of Revision, if the holding of such circuit court, shall not interfere with the objects contemplated in this bill;" and the question being taken on the adoption thereof,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Dougherty, Feaman, Fithian, Harrison, Henry, Houston, Johnson, Killpatrick, Leviston, McMurtry, Minard, Ruggles, Smith, Stapp, Thompson, Waters, and Worthington—20.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Evans, Harris, Hoard, James, Markley, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Vandeventer, Warren, Willbanks, and Wynne—18.

On motion of Mr. Cavarly,

Said bill was further amended by adding thereto, the following:

"SEC. 2. The county of Sangamon shall be liable for all damages which the library or furniture may suffer, while the room may be thus occupied by said circuit court."

Ordered that said bill, as amended, be engrossed for a third reading.

Mr. Dougherty, from the committee on Incorporations, to which was referred a bill for "An act to legalize the acts of the elders, deacons, and ministers of the Protestant Reformed Dutch Church, of Fairview, in Fulton county," reported the same back with an amendment; which was concurred in, and said bill, as amended,

Ordered to be engrossed for a third reading.

Mr. Dougherty, from the same committee, to which was referred a bill for "An act to incorporate the town of Winchester, in Scott county," reported the same back with amendments; which were concurred in, and said bill, as amended,

Ordered to be engrossed for a third reading.

Mr. Dougherty, from the same committee, to which was referred a bill

from the House of Representatives for "An act to incorporate the city of Metropolis, in Johnson county," reported the same back without amendment.

Ordered that said bill be read a third time.

Mr. Leviston, from the committee on Internal Improvements, to which was referred a communication from the Governor, on the subject of the getting up of State bonds, reported a bill for "An act to provide for the taking up, registering, and cancelling of State bonds, scrip, and other evidences of State indebtedness;" which was read, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, and said bill read a second time by its title, and,

Ordered to be engrossed for a third reading.

Mr. Worthington, from the committee on Internal Navigation, to which was referred a bill for "An act to vacate the town plat of Reedfield, in the county of Pike," reported the same back, without amendment.

Mr. Dougherty moved to lay the bill on the table; which was not agreed to.

Ordered that the bill be engrossed for a third reading.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act in relation to the Cumberland road," as proposed to be amended, reported the same back with an amendment to the amendment; which was concurred in, and the bill, as amended,

Ordered to a third reading.

Mr. Cavarly, from the same committee, to which was referred a bill from the House of Representatives for "An act concerning the revenue of 1842," reported the same back with an amendment; which was concurred in.

Mr. Catlin moved that the bill be referred to the committee on Finance, with instructions to report a bill to raise a sufficient amount of revenue to defray the ordinary expenses of the State Government, and for other purposes; and to so provide that no money can be drawn from the Treasury for any other purpose, for the year 1842, to be paid in gold and silver and Auditor's warrants; and for county purposes, gold and silver and county orders, and report as soon as possible.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Killpatrick,

The order made on yesterday that the Senate resolve itself into a committee of the whole, at the present time, for the consideration of certain bills, was suspended.

On motion of Mr. Cavarly,

The orders of the day were postponed, and the bill from the House of Representatives for "An act concerning the revenue of 1842," taken up.

The question pending being upon the motion of Mr. Catlin to refer

the bill to the committee on Finance, with instructions, the same was put, and decided in the negative.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed a bill for "An act to define the bounds of Boone county."

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of a bill for "An act to amend 'An act to establish a ferry across the Illinois river,' approved February 23, 1843."

Mr. Cavarly moved to amend the bill, as amended, by inserting therein the following:

"SEC. 7. That all the revenue to be collected under and by virtue of the provisions of this act shall be exclusively appropriated to meet the ordinary expenses of the State government."

Mr. Hoard moved that the bill be referred to a select committee of five; which was not agreed to.

The question was then taken on the adoption of the amendment proposed by Mr. Cavarly, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Dougherty, Evans, Feaman, Harris, Houston, James, Johnson, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—22.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Hoard, Killpatrick, Matteson, Minard, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, and Worthington—18.

Mr. Parker moved that the bill, as amended, be amended by adding to the sixth section thereof, the following:

"*Provided, however,* that the county commissioners' courts shall have the power to direct, by making an entry to that effect upon the records of said court, that the county revenue may be received in the notes of specie paying banks," and the question being taken thereon,

It was decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Cavarly, Crain, Evans, Feaman, Fithian, Henry, Houston, Johnson, Killpatrick, Markley, McMurtry, Nunnally, Parker, Ruggles, Stapp, Vandeventer, Warren, Waters, Worthington and Wynne—20.

Those voting in the negative, are,

Messrs. Baker, Catlin, Cullom, Davis, Dougherty, Harris, Harrison, Hoard, James, Leviston, Matteson, Minard, Parrish, Ralston, Ryan, Slocumb, Smith, Thompson, and Willbanks—19.

The question was then taken on ordering the bill to a third reading, as amended, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Dougherty, Evans, Feaman, Harris, Houston, James, Johnson, Leviston, Markley, McMurtry, Parker, Parrish, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—31.

Those who voted in the negative, are,
Messrs. Cullom, Davis, Fithian, Harrison, Henry, Hoard, Killpatrick, Matteson, Minard, Ralston, Ruggles, Ryan, Slocumb, Smith, Stapp, and Worthington—16.

On motion,
The Senate adjourned.

FRIDAY, FEBRUARY 10, 1843.

The Senate met pursuant to adjournment.

Mr. Parker, from the committee on Public Roads, to which was referred the petition of sundry citizens of Fayette, Marion, and Jefferson counties, reported a bill for "An act to locate a State road therein named;" which was read, and

Ordered to a second reading,

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Crain, from the committee on School Lands and Education, reported a bill for "An act in relation to pedlars;" which was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule of the Senate was dispensed with, and the said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Crain, Evans, and Markley be that committee.

Mr. Harris, from the committee on Petitions, reported a bill for "An act to legalize the military acts of Reese Bayless;" which was read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Military Affairs.

Mr. Cavarly, from the committee on Finance, to which was referred a bill from the House of Representatives for "An act to prohibit the reception of depreciated paper in payment of public dues," reported the same back without amendment.

Ordered that said bill be read a third time.

Mr. Warren moved that the order of business be suspended; which was agreed to.

Mr. Warren then moved that the vote given on yesterday upon ordering to be engrossed for a third reading a bill for "An act in relation to the law library and Council of Revision," and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Evans, Feaman, Harris, Hoard, Houston, James, Leviston, Markley, Matteson, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—24.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Dougherty, Fithian, Harri-

son, Henry, Johnson, Killpatrick, McMurtry, Ruggles, Smith, Stapp, Waters, and Worthington—16.

Mr. Cavarly moved that the vote taken upon the adoption of an additional section, proposed by him, to said bill, be re-considered; and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Evans, Feaman, Harris, Hoard, Houston, James, Leviston, Markley, Matteson, Minard, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—22.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Dougherty, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Nunnally, Parker, Ruggles, Smith, Stapp, Waters, and Worthington—17.

Mr. Leviston moved that the vote taken upon the adoption of the amendment, proposed by Mr. McMurtry, to said bill, be re-considered; and the question being taken,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Evans, Feaman, Harris, Hoard, Houston, James, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—23.

Those who voted in the negative, are

Messrs. Baker, Buford, Cullom, Dougherty, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Smith, Stapp, Waters, and Worthington—16.

On motion of Mr. Henry,

Said bill and amendment were referred to a select committee.

Ordered, That Messrs. Henry, Cavarly, Vandeventer, Dougherty, and Leviston be that committee.

Mr. Crain, from the committee on School Lands and Education, reported a bill for "An act in relation to sixteenth sections;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Crain, Feaman, and Catlin be that committee.

Mr. Johnson, from the committee on Salines and Saline Lands, reported a bill for "An act to incorporate the Oak Grove Cemetery Association," which was read the first time.

Mr. Wynne moved to lay the bill on the table; which was decided in the negative, by the following vote:

Those who voted in the affirmative, are,

Messrs. Catlin, Crain, Houston, James, Leviston, Nunnally, Parrish, Willbanks, and Wynne—9.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davidson, Dougherty, Evans, Feaman, Fithian, Harris, Henry, Hoard, Johnson,

Killpatrick, Matteson, McMurtry, Minard, Parker, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, and Worthington—27.

On motion of Mr. Johnson,

The rule of the Senate was dispensed with, and said was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Dougherty, from the committee on Incorporations, reported a bill for "An act for the relief of John Headger and William Clapp, and others;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Dougherty, Cavarly, and Nunnally be that committee.

Mr. Dougherty, from the same committee, reported a bill for "An act for the relief of Jefferson McKinney;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and referred to the committee on School Lands and Education.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An an act for the apprehension and safe keeping of fugitive slaves," reported the same back to the Senate, with amendments, which were read and concurred in.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the negative, by the following vote;

Those who voted in the affirmative, are,

Messrs. Buford, Cullom, Dougherty, Harris, Johnson, Leviston, Parker, Parrish, Ralston, Slocumb, Thompson, and Willbanks—12.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Evans, Feaman, Fithian, Houston, James, Killpatrick, Markley, Matteson, McMurtry, Minard, Nunnally, Ruggles, Smith, Stapp, Vandeventer, Warren, Waters, and Worthington—23.

Mr. Vandeventer, from the committee on Counties, reported a bill for "An act to change the times of holding circuit courts in the fifth judicial circuit;" which was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Vandeventer, Thompson, and Barnett be that committee.

Mr. Dougherty, from the committee on the Judiciary, reported a bill for "An act to provide for the completion of the Northern Cross Railroad;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the said bill read a second time by its title, and referred to the committee on Internal Improvements.

Mr. Killpatrick, from the committee on Counties, reported a bill for "An act in relation to a State road in Scott county;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Killpatrick, Henry, and Stapp be that committee.

Mr. McMurtry, from the committee on Counties, introduced a bill for "An act concerning Knox county;" which was read, and

Ordered to a second reading.

On motion of McMurtry.

Said bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. McMurtry, Minard, and Slocumb be that committee.

Mr. Fithian, from the committee on Salines, reported a bill for "An act to appropriate the avails of saline lands in this State to the payment of the State debt;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Fithian, Johnson, and Hoard be that committee.

Mr. Markley, from the committee on Counties, reported a bill for "An act to remove the seat of government of the State of Illinois to the town or city of Peoria;" which was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Markley, Smith, and Waters be that committee.

Mr. Cavarly, from the committee on Public Accounts and Expenditures, reported a bill for "An act authorizing a settlement with Macalister & Stebbins, and further to diminish the State debt;" which was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

Said bill was read a second time by its title, and,

On motion of Mr. Dougherty,

Referred to the committee on the Judiciary.

Mr. Thompson, from the committee on Public Roads, reported a bill for "An act to review and re-locate a State road from Jesse Hammer's to Chillicothe, in Peoria county;" which was read, and

Ordered to a second reading.

On motion of Mr. Thompson,

The bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. McMurtry, from the committee on the Penitentiary, reported a bill for "An act for the purposes therein named, and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. McMurtry,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. McMurtry, Vandeventer, and Thompson be that committee.

Mr. Killpatrick, from the committee on Counties, reported a bill for "An act in relation to criminal jurisprudence;" which was read, and

Ordered to a second reading,

On motion of Mr. Killpatrick,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Killpatrick, Henry, and Stapp be that committee.

Mr. Fithian, from the committee on Salines, reported a bill for "An act to provide for letting the Northern Cross Railroad line, and other railroad lines in this State to companies;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule of the Senate was dispensed with, and the bill was read a second time, and referred to the committee on Internal Improvements.

Mr. Matteson, from the committee on Finance, reported a bill for "An act to locate a State road;" which was read, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Matteson, Minard, and Hoard be that committee.

Mr. Catlin, from the committee on Education, reported a bill for "An act to repeal the internal improvement system;" which was read, and

Ordered to a second reading.

On motion of Mr. Catlin,

The rule of the Senate was dispensed with, and the bill was read a second time.

Mr. Catlin moved that said bill be referred to the committee on Internal Improvements, with instructions to "repeal all the laws heretofore passed creating a system of internal improvements, and do justice to the State and private interests."

On motion of Mr. Dougherty,

The instructions were laid upon the table, and the bill was referred to the committee on the Judiciary.

Mr. Matteson, from the committee on Finance, reported a bill for "An act to incorporate an academy in the county of Will, and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and the bill was read a second time, and referred to the committee on School Lands and Education.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act to authorize the county commissioners' court of Warren county to pay out certain bills at their current value," reported the same back, without amendment.

Ordered that said bill be engrossed for a third reading.

Mr. Matteson, from the same committee, reported a bill for "An act to amend an act entitled 'An act concerning the public revenue,' approved February 26, 1839;" which was read, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Finance.

Mr. Ralston reported a bill for "An act supplemental to 'An act to create the county of Marquette;'" which was read, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with and the bill was read a second time by its title, and referred to the committee on the Judiciary.

Mr. Smith, from the committee on Petitions, reported a bill for "An act to incorporate the Alton Porcelain and Stoneware Manufacturing company;" which was read, and

Ordered to a second reading.

On motion of Mr. Smith,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Smith, Catlin, and Evans be that committee.

Mr. Smith, from the same committee, reported a bill for "An act for the relief of Matilda Powers;" which was read, and

Ordered to a second reading.

On motion of Mr. Smith,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Cullom, from the committee on Elections, reported a bill for "An act to authorize the transcribing of certain records therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Cullom,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Cullom, Harrison, and Barnett be that committee.

Mr. Waters, from the committee on Internal Navigation, reported a bill for "An act to prevent trespasses on school lands;" which was read, and

Ordered to a second reading.

On motion of Mr. Waters,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Waters, Dougherty, and Harrison be that committee.

Mr. Davidson offered the following resolution:

Resolved, That the Treasurer of State be requested to report to the Senate, at an early day, whether or not the ten per cent. of revenue, called the interest fund, received under "An act to provide for the payment of the interest on the public debt;" approved February 27, 1841, or any part thereof, has been paid to the Fund Commissioners, or to any other persons, and, if to any one, in what kind of funds, and at what time it was so paid.

On motion of Mr. Davidson,

The rule was dispensed with, and the resolution was read, considered, and adopted.

Mr. Dougherty, from the committee on Incorporations, reported a bill for "An act concerning negroes and mulattoes escaping from their masters;" which was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on the Judiciary.

On motion, the order of business was suspended, and

Mr. Johnson introduced a bill for "An act concerning ordinary times;" which was read, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Johnson, Vandevanter, and Barnett be that committee.

Mr. Johnson introduced a bill for "An act for particular purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Johnson, Vandevanter, and Barnett be said committee.

Mr. Worthington introduced a bill for "An act to attach fractional townships seven and eight west, and four south, to Adams county;" which was read, and

Ordered to a second reading.

On motion of Mr. Worthington,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Worthington, Ralston, and Markley be that committee.

Mr. Smith introduced a bill for "An act in relation to the penitentiary;" which was read, and

Ordered to a second reading.

On motion of Mr. Smith,

The rule was dispensed with, and the said bill read a second time by its title, and referred to the committee on the Penitentiary.

Mr. Ruggles introduced a bill for "An act to authorize the commissioners of Ogle county to levy a tax;" which was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ruggles, Stapp, and Thompson be said committee.

Mr. Evans introduced a bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties of this State,' approved Feb. 26, 1841;" which was read, and

Ordered to a second reading.

On motion of Mr. Evans,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to committee on Counties.

On motion of Mr. Ralston,

The order of business was suspended to enable a committee to report.

Mr. Ralston, from the select committee to which was referred a bill from the House of Representatives for "An act to create the county of Marquette, and for other purposes," reported the same back without amendment, and the bill was

Ordered to a third reading.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Wynne, on leave, introduced a bill for "An act in relation to township school funds and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Wynne,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Wynne, Henry, and Nunnally be that committee.

Mr. Evans, on leave, introduced a bill for "An act providing for the adjustment of the claims of certain persons for work done in the improving of the Kaskaskia river;" which was read, and

Ordered to a second reading.

On motion of Mr. Evans,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Improvements.

Mr. Parrish, on leave, introduced a bill for "An act to dispose of the

public property in the town of Frankfort, in the county of Franklin;" which was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and said bill was read a third time by its title, and referred to a select committee.

Ordered, That Messrs. Parrish, Dougherty, and Willbanks, be that committee.

Mr. Crain, on leave, introduced a bill for "An act to repeal the charter of Nauvoo;" which was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Crain, Davis, and Waters be that committee.

Mr. Fithian, on leave, introduced a bill for "An act to provide in future for the more certain burning of State bonds and Auditor's warrants;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Public Accounts and Expenditures.

On motion of Mr. Worthington,

The order of business was suspended to enable him to introduce the following resolution:

Resolved, That the Governor, Secretary of State, and Fund Commissioner be and they are hereby requested to communicate to the Senate whether the whole amount of bonds and other evidences of indebtedness, required by law to be burned in the presence of the members of the two Houses of the General Assembly, were actually so burned and destroyed; and also, whether any other bonds or other evidences of State indebtedness were burned, and if so, by what authority, and what amount was actually burned, with the numbers and description of the same.

On motion of Mr. Fithian,

The rule was dispensed with, and said resolution considered, and on the question of its adoption,

It was decided in the affirmative.

Mr. Markley, on leave, introduced a bill for "An act to repeal incorporations, and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Markley, Vandeventer, and Thompson be that committee.

Mr. Harrison, on leave, introduced a bill for "An act to incorporate the Galena Manufacturing Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Cavarly,

Referred to the committee on Incorporations.

Mr. Parker, on leave, introduced a bill for "An act to make an appropriation for the improvement of the Darwin and Charleston turnpike road," and a bill for "An act to improve the State road from York through Martinsville, in Clark county, to Charleston, in Coles county;" which bills were severally read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bills read a second time by their titles, and referred to the committee on Public Roads.

Mr. Dougherty, on leave, introduced a bill for "An act concerning State bonds;" which was read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Cavarly, on leave, introduced a bill for "An act incorporating the town of Greenfield, in Greene county;" which was read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Incorporations.

Mr. Harrison, on leave, introduced bills of the following titles:

"An act to improve the navigation of Pecatonica river;"

"An act to improve the navigation of Apple river," and

"An act to improve the navigation of of Rock river;" which were severally read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule was dispensed with, and said bills read a second time by their titles, and referred to a select committee.

Ordered, That Messrs. Harrison, Stapp, and Thompson be that committee.

Mr. Harris, on leave, introduced a bill for "An act to locate a certain State road;" which was read, and

Ordered to a second reading.

On motion of Mr. Harris,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Harris, Vandeventer, and Barnett be that committee.

Mr. Worthington, on leave, introduced a bill for "An act to provide for the immediate expulsion of British subjects from the Oregon Territory;" which was read, and

Ordered to a second reading.

Mr. Worthington moved that the rule of the Senate be dispensed with, and said bill read a second time by its title; which was not agreed to.

Mr. Smith, on leave, introduced a bill for "An act to amend an act en-

titled 'An act regulating the sale of property on judgments and executions,' approved January 6, 1843;" which was read, and,

On the question—"Shall the bill be ordered to a second reading?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Crain, Cullom, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Ralston, Ruggles, Slocumb, Smith, Thompson, Vandeventer, and Worthington—30.

Those who voted in the negative, are,

Messrs. Nunnally, Parrish, Warren, Waters, and Wynne—5.

Mr. Smith moved that the rule be dispensed with, and said bill read a second time by its title; which was not agreed to.

Mr. Ralston, on leave, introduced a bill for "An act to amend an act therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Nunnally introduced a bill for "An act to redeem State scrip and for other purposes;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Nunnally, Parker, and James be that committee.

Mr. Cavarly introduced a bill for "An act to exempt farming lands, lying within the limits of any city or incorporated town, from corporation or city taxes;" which were read a first time, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on incorporation.

Mr. Evans introduced a bill for "An act in relation to the streets running through out lots in the town of Vandalia;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Evans,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Public Roads.

Mr. Ruggles introduced a bill for "An act to amend an act entitled 'An act making provision for organizing and maintaining common schools;'" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ruggles, Davidson, and Barnett be that committee.

On motion of Mr. Worthington,

The order of business was suspended to enable him to introduce the following resolution:

Resolved by the Senate, the House of Representatives concurring herein, That our Senators in Congress be instructed, and our Representatives requested, to use their best efforts to procure appropriations for the completion of the National Road through the State of Illinois; which under the rule lies one day on the table.

On motion of Mr. Cavarly,

The order of business was suspended to enable him to make a report.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill for "An act to fix the times of holding circuit courts in Scott county," reported the same back with a substitute for the bill; which was concurred in, and the bill, as amended, was

Ordered to be engrossed for a third reading.

Mr. Johnson introduced a bill for "An act to re-locate a certain State road;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Johnson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Johnson, Evans, and Harris be that committee.

On motion of Mr. Ralston,

The order of business was suspended and a bill from the House of Representatives for "An act to create the county of Marquette and for other purposes therein named," was taken up.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Ralston,

The order of business was suspended to enable a committee to report.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act supplemental to 'An act to create the county of Marquette,'" reported the same back without amendment.

Ordered, that said bill be engrossed and read a third time.

On motion of Mr. Ralston,

The rule was further dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Crain,

The order of business was further suspended, and engrossed bill for "An act concerning the sixteenth section, township one south, range five west, lying in the counties of Washington and Clinton," was taken up, read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the

Senate that they have approved a bill for "An act to amend an act, entitled 'An act to establish a ferry across the Illinois river,' approved February 23, 1841."

Mr. Ralston, on leave, introduced a bill for "An act concerning the records of Hancock county;" which was read, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ralston, Davis, and Markley be that committee.

On motion of Mr. Fithian,

The order of business was suspended, and the Senate resolved itself into a committee of the whole; Mr. Harrison in the chair, to take into consideration a bill from the House of Representatives for "An act to provide for the sale of public property and the payment of the public debt," and Senate bills for "An act appropriating certain property to the payment of the State debt," and for "An act to provide for the sale of railroad lands and materials and other lands."

After some time spent therein, the committee rose, and by their chairman, reported said bills back to the Senate without amendment.

On motion of Mr. Dougherty,

Said bills were referred to a select committee of five.

Ordered, That Messrs. Dougherty, Fithian, Cavarly, Matteson, and Davidson be that committee.

On motion of Mr. Cavarly,

The order of business was suspended and the bill from the House of Representatives for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the canal debt," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said bill was read a second time by its title, and

Referred to the committee of the whole Senate, and made the special order for two o'clock, P. M., to-morrow.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Speaker laid before the Senate a communication and accompanying statement from the Auditor, made in compliance with a resolution of the Senate, adopted on the 7th inst., in relation to certain receipts and expenditures, &c.; which were read, and,

On motion of Mr. Davidson,

Laid on the table and 1000 copies ordered to be printed.

Mr. Speaker announced a communication from the Governor upon executive business; which was,

On motion of Mr. Davidson,

Acted upon with open doors, and read as follows:

EXECUTIVE DEPARTMENT,
Springfield, February 10, 1843.

To the Honorable the Senate:

I nominate Thomas Dunlap to be notary public for the county of Schuyler.

THOMAS FORD.

On motion of Mr. Vandeventer,
The above nomination were advised and consented to by the Senate.

On motion,
The Senate adjourned.

SATURDAY, FEBRUARY 11, 1843.

Senate met pursuant to adjournment.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate two communications in writing.

A message from the House of Representatives, by Mr. Ewing, their Clerk, was received:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed bills of the following titles. In the passage of which they ask the concurrence of the Senate:

"An act supplemental to 'An act concerning estrays,' in force February 9, 1835;"

"An act to incorporate the Rock River Bridge company;"

"An act for the better security of State, county, and township funds;"

"An act authorizing a change in a State road in Morgan county;"

"An act to amend the charter of the city of Springfield;"

"An act to abolish the office of Fund Commissioner, and for other purposes therein named."

The Speaker laid before the Senate a communication from the Governor and Secretary of State, made in obedience to a resolution of the Senate, containing a statement of the amount of bonds, &c. burned; which was read, and,

On motion of Mr. Nunnally,

Laid on the table.

Mr. Buford presented the petition of sundry citizens of Henry, Mercer, and Rock Island counties, praying the passage of a law authorizing John H. Sullivan and Albert Moyer to erect dams as therein mentioned. Also, the remonstrance of Sullivan & Moyer, against authorizing William Dickson to erect certain dams; which were, without reading,

On motion of Mr. Buford,

Referred to the committee on Internal Improvements.

On motion of Mr. Dougherty,

The order of business was suspended, and the bill from the House of Representatives for "An concerning the revenue of 1842," was taken up, and,

On motion of Mr. Dougherty,

Referred to a select committee of five.

Ordered, That Messrs. Dougherty, Ralston, Cavarly, Matteson, and Davidson be that committee.

Mr. Dougherty presented the petition of contractors on the Illinois and

Michigan Canal, in relation to the completion of the Illinois and Michigan Canal; which was, without reading,

Referred to the committee on Canal and Canal Lands.

Mr. Parker, from the committee on Public Roads, to which was referred a petition of sundry citizens of Fayette county, reported a bill for "An act to locate a State road therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Evans,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Killpatrick,

The order of business was suspended, and engrossed bill for "An act to fix the times of holding circuit courts in Scott county," was taken up, read a third time and passed.

On motion of Mr. Killpatrick,

The title of said bill was amended, by striking out "Scott county, &c." and inserting in lieu thereof the words "the first judicial circuit."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Dougherty,

The order of business was suspended, and the bill from the House of Representatives for "An act to change the times of holding courts in the third judicial circuit," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Dougherty, Parrish, and Waters be that committee.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act reducing the salaries and fees of officers, and retrenching the expenses of the State," reported the same back to the Senate, with amendments.

Mr. Fithian called for a division of the question upon concurring with the committee in their amendments.

Mr. Killpatrick moved to amend the amendment, reported by the committee, fixing the per diem pay of the Speakers of the two Houses at six dollars, by striking out "six" and inserting "seven" in lieu thereof; and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Feaman, Killpatrick, Minard, and Thompson—6.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Fithian, Harris, Harrison, Henry, Hoard, James, Johnson, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Vandeventer, Warren, Waters, Willbanks, and Worthington—31.

The question was then taken on the adoption of the amendment reported by the committee, as to the per diem pay of the Speaker, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Crain, Cullom, Davidson, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, James, Killpatrick, Leviston, Matteson, Minard, Parrish, Ralston, Ruggles, Slocumb, Thompson, Vandeventer, Warren, Waters, Worthington, and Wynne—28.

Those who voted in the negative, are,

Messrs. Catlin, Evans, Harris, Johnson, Markley, McMurtry, Nunnally, Parker, Smith, Stapp, and Willbanks—11.

Mr. Buford moved to amend the amendment reported by the committee, fixing the mileage of members of the General Assembly at three dollars for every twenty miles travel, by inserting the words "and four dollars for every twenty miles travel of the Speakers of the two Houses;" which was not agreed to.

The question was then taken on the adoption of the amendment reported by the committee, as to the mileage of members of the General Assembly, and decided in the affirmative:

On motion of Mr. Ralston,

The amendment reported by the committee, proposing to insert in the eighth line of the third section, after the word "Senate," the words "and those whose seats were vacated by a decision of the Senate," was amended by striking out those words, and inserting in lieu of them, the words "and those excluded by resolution of the Senate."

The amendment, as amended, was then adopted.

The question was then taken on the adoption of the amendment reported by the committee, fixing the mileage of the members of the General Assembly at three dollars for every twenty miles travel, and decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Barnett, Buford, Cullom, Davidson, Dougherty, Feaman, Hoard, James, Killpatrick, Leviston, Matteson, Minard, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, and Waters—22.

Those voting in the negative, are,

Messrs. Baker, Catlin, Cavarly, Crain, Evans, Fithian, Harris, Henry, Johnson, Markley, McMurtry, Nunnally, Parker, Willbanks, Worthington, and Wynne—16.

The question was then taken on the adoption of the amendment fixing the pay of the Secretary of the Senate, Clerk of the House of Representatives, and their Assistants, at five dollars per day, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Crain, Cullom, Davidson, Dougherty, Feaman, Fithian, Hoard, James, Killpatrick, Leviston, Matteson, Minard, Ralston, Ruggles, Slocumb, Thompson, Vandeventer, Warren, Waters, and Wynne—23.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Evans, Harris, Henry, Johnson, Markley,

McMurtry, Nunnally, Parker, Parrish, Smith, Stapp, Willbanks, and Worthington—15.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of a bill for "An act to repeal the laws incorporating the town of Chester," as amended by them. In which amendment I am requested to ask the concurrence of the Senate.

Mr. Henry moved to amend the amendment reported by the committee to the bill under consideration, in relation to the compensation of the Sergeant-at-Arms, proposing to insert after the word "Senate," in the seventeenth line of the third section, the words "three dollars per day, and his assistant thirty dollars per month," by striking out the words "his assistant thirty dollars per month," and inserting in lieu of them the words "to John Kavanaugh one dollar and fifty cents per day in addition to the thirty dollars per month allowed to him by the Sergeant-at-Arms."

On motion of Mr. Cavarly,

The amendment proposed by Mr. Henry to the amendment, was laid on the table.

On motion of Mr. Baker,

The amendment referred to was amended, by striking out "his assistant thirty dollars per month," and inserting in lieu thereof, "to John Kavanaugh one dollar and fifty cents per day."

The amendment, as amended, was then adopted.

Mr. Parker moved to amend the second section of the bill under consideration, fixing the per diem pay of members of the General Assembly at three dollars, by striking out "three," and inserting "two" in lieu thereof.

Mr. Harris called for a division of the question; and the same being taken on striking out the word "three."

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Crain, Davidson, Dougherty, Evans, Harrison, Johnson, Markley, McMurtry, Minard, Nunnally, Parker, Slocumb, Stapp, Warren, Willbanks, Worthington, and Wynne—19.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cullom, Feaman, Fithian, Harris, Henry, Hoard, James, Killpatrick, Leviston, Matteson, Parrish, Raiston, Ruggles, Smith, Thompson, Vandeventer, and Waters—20.

Mr. Fithian moved to amend the first section of the bill, appropriating six thousand dollars as a contingent fund, by striking out "six," and inserting "five," in lieu thereof.

Mr. Dougherty moved to lay the amendment proposed by Mr. Fithian on the table.

On motion of Mr. Stapp,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Speaker laid before the Senate a communication from the Treasurer, made in reply to a resolution of the Senate, adopted on yesterday, in relation to the interest fund; which was read, and,

On motion of Mr. Smith,

Laid on the table.

Mr. Speaker announced two communications from the Governor upon Executive business.

On motion of Mr. Stapp,

Said communications were acted on with open doors, and were read, as follows:

EXECUTIVE DEPARTMENT,

Springfield, Jan. 23, 1843.

I nominate Samuel F. Price, to be public administrator of Alexander county.

Also, William G. Goforth to be public administrator for St. Clair county.

Also, Theodore Engelmann to be notary public for St. Clair county.

THOMAS FORD.

EXECUTIVE DEPARTMENT,

Springfield, Feb. 11, 1843.

I nominate William B. Parker to be notary public for the town of Tremont, in the county of Tazewell, agreeably to the prayer of the annexed petition of fifty legal voters of the said county.

THOMAS FORD.

On motion of Mr. Catlin,

The nominations made in the first of the foregoing communications were advised and consented to.

On motion of Mr. Stapp,

The last communication was laid on the table.

Agreeably to special order, the Senate resolved itself into a committee of the whole; Mr. Slocumb in the chair, to take into consideration a bill from the House of Representatives for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the canal debt."

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Slocumb reported that the committee had made progress, and asked and obtained leave to sit again.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act to regulate the times of holding courts in the sixth judicial circuit."

In the passage of which they ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the passage of a bill for "An act to fix the times of holding circuit courts in the first judicial circuit."

On motion of Mr. Cullom,

The communication of the Governor, containing the nomination of Wil-

liam B. Parker to be notary public for the town of Tremont, in the county of Tazewell, was taken from the table.

On motion of Mr. Cullom,

Said nomination was advised and consented to by the Senate.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have refused to order to a second reading Senate bill for "An act to amend the act regulating interest on money, approved February 28, 1833, and to amend the act making provisions for organizing and maintaining common schools, approved 26th Feb. 1841."

They have passed bills of the following titles, to wit:

"An act changing the times of holding courts in the ninth judicial circuit of the State of Illinois;"

"An act to change the times of holding courts in the second judicial circuit, and to include the county of Perry in said second judicial circuit," and

"An act to establish and maintain common schools."

In the passage of which they ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the passage of a bill for "An act authorizing counties to give a bounty on wolf scalps."

Mr. Killpatrick, from the select committee to which was referred a bill for "An act to amend the laws of this State in relation to duelling," reported the same back, with an amendment.

Mr. Warren moved that the bill and amendment be laid on the table until the 4th of July next; and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Davidson, Evans, Fithian, Harris, Harrison, Hoard, Leviston, Matteson, McMurtry, Minard, Nunnally, Parker, Ralston, Ryan, Stapp, Warren, and Worthington—19.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cavarly, Crain, Cullom, Dougherty, Feaman, Henry, Johnson, Killpatrick, Markley, Parrish, Slocumb, Smith, Thompson, and Willbanks—16.

On motion of Mr. Dougherty,

The bill from the House of Representatives for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the canal debt," was made the special order for Monday next, at 2 o'clock, P. M.

On motion,

The Senate adjourned.

MONDAY, FEBRUARY 13, 1843.

Senate met pursuant to adjournment.

Mr. Leviston offered the petition of the citizens of Shawneetown praying for a municipal charter; which was read, and,

On motion of Mr. Leviston,

Was referred to the committee on Incorporations.

Mr. Leviston, from the committee on Internal Improvements, to which

was referred a certain petition, reported a bill for "An act to authorize the county commissioners of Rock Island county to build a free bridge across Rock river;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Leviston,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Internal Navigation.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to amend the charter of the city of Quincy," reported the same back without amendment, and recommended its passage.

Ordered to be engrossed for a third reading.

Mr. Crain, from the select committee to which was referred a bill for "An act to repeal the charter of Nauvoo," reported the same back without amendment, and recommended the passage of the bill.

On motion of Mr. Baker,

The bill was laid on the table.

Mr. Feaman, from the select committee to which was referred a bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties of this State,'" reported the same back to the Senate, without amendment, and recommended the rejection of the bill.

On motion of Mr. Feaman,

The bill was laid on the table until the 4th day of July next, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Evans, Feaman, Harris, Henry, Hoard, James, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Waters, and Willbanks—25.

Those who voted in the negative, are,

Messrs. Baker, Davidson, Fithian, Harrison, Johnson, Killpatrick, Stapp, and Worthington—8.

Mr. Thompson, from the select committee, to which was referred a bill for "An act to review and re-locate the State road leading from Princeton to Pawpaw Grove," reported the same back, without amendment, and recommended the passage of the bill.

Ordered, that said bill be engrossed for a third reading.

A bill for "An act regulating the salaries and fees of officers and retrenching the expenses of the State," coming up for consideration,

The question pending, when the Senate adjourned on yesterday, was on the motion of Mr. Dougherty to lay the amendment proposed by Mr. Fithian on the table; when,

The question was then taken on laying the proposed amendment on the table, and decided in the negative.

The question was then taken on the amendment offered by Mr. Fithian, and decided in the affirmative, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Crain, Davidson, Evans, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Johnson, Killpatrick, Nunnally,

Parker, Stapp, Thompson, Vandeventer, Warren, Waters, and Worthington—21.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, James, Markley, Matteson, McMurry, Minard, Parrish, Ralston, Ryan, Slocumb, and Willbanks—13.

Mr. Stapp moved to amend the fourth article of the second section, by striking out the words "four hundred and fifty," and inserting in lieu thereof, the words "three hundred."

Mr. Harris called for a division of the question, so as to first take the vote on striking out.

The question was then taken on striking out, and decided in the negative.

On motion of Mr. Buford,

The vote on striking out the word "three," in the second line, in the second article of the third section, was re-considered.

Mr. Buford moved to amend the second article of the third section by striking out the word "three" in the second line, and inserting in lieu thereof, the word "four;" which was not agreed to, by the following vote:

Those who voted in the affirmative, are,

Messrs. Buford, Killpatrick, Minard, Ruggles, Stapp, and Waters—6.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Crain, Cullom, Davidson, Evans, Feaman, Fithian, Harris, Harrison, Henry, Hoard, James, Johnson, Markley, Matteson, McMurry, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Worthington—30.

The question then recurring on striking out "three" and inserting "two," Mr. Harris called for a division of the question so as to take the vote on striking out.

The question was then taken on striking out, and decided in the affirmative, as follows:

Those voting in the affirmative, are,

Messrs. Baker, Buford, Cavarly, Crain, Davidson, Evans, Harrison, Johnson, Killpatrick, Markley, McMurry, Minard, Nunnally, Parker, Ruggles, Ryan, Slocumb, Stapp, Warren, Waters, and Willbanks—21.

Those voting in the negative, are,

Messrs. Barnett, Catlin, Cullom, Feaman, Fithian, Harris, Henry, Hoard, James, Matteson, Parrish, Ralston, Thompson, Vandeventer, and Worthington—15.

The question was then taken on inserting the word "two," and decided in the affirmative, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Crain, Davidson, Evans, Fithian, Harris, Harrison, James, Markley, McMurry, Minard, Nunnally, Parker, Ryan, Slocumb, Warren, Waters, and Willbanks—20.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Feaman, Henry, Hoard, Johnson, Killpatrick, Matteson, Parrish, Ralston, Ruggles, Stapp, Thompson, Vandeventer, and Worthington—16.

Mr. Davidson moved to amend the bill by striking out all after the third section; which was not agreed to, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Harrison, Hoard, Minard, Parker, Ralston, Slocumb, Stapp, Thompson, Vandeventer, and Worthington—14.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Evans, Feaman, Fithian, Harris, Henry, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Nunnally, Parrish, Warren, Waters, and Willbanks—20.

Mr. Cavarly moved to amend the first article of the third section, by adding after the word "and," and before the word "two," the following:

"That each member of this General Assembly shall receive such sum for his per diem allowance as he may vote for, not exceeding three dollars per day; and the Auditor is hereby authorized to draw his warrant on the treasury for the same and no more, and."

Mr. Killpatrick moved to amend the amendment by striking out the words, "not exceeding three dollars per day;" which was agreed to, by the following vote:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Crain, Cullom, Davidson, Dougherty, Evans, Feaman, Fithian, Harrison, Hoard, Killpatrick, McMurtry, Minard, Parker, Ralston, Ruggles, Stapp, Waters, and Willbanks—20.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Harris, Henry, James, Johnson, Markley, Matteson, Nunnally, Parrish, Slocumb, Thompson, Vandeventer, Warren, and Worthington—16.

On motion of Mr. Warren,

The amendment, as amended, was laid on the table until the fourth day of July next, by the following vote, to wit:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Crain, Davidson, Evans, Fithian, Harrison, Henry, Johnson, Killpatrick, Markley, McMurtry, Minard, Parker, Ralston, Ruggles, Slocumb, Stapp, Smith, Vandeventer, Warren, Willbanks, and Worthington—24.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Cullom, Dougherty, Feaman, Harris, Hoard, James, Matteson, Parrish, and Waters—11.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The Senate, in pursuance of its order, went into committee of the whole; Mr. Slocumb in the chair, upon the bill for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the canal debt."

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Slocumb reported that the committee of the whole Senate, had had under consideration said bill, had made some progress therein, and asked leave to sit again, and

On the question—"Shall said committee have leave to sit again?" it was decided in the negative.

On motion of Mr. Dougherty,

The bill was amended by adding the following proviso to the seventeenth section of the bill, to wit:

"*Provided*, that no appraisal shall be made for any damages arising under the provisions of any contract entered into in pursuance of any act for the construction of the Illinois and Michigan Canal, unless the contractor or contractors interested therein shall first signify his or their consent in writing (which writing shall be filed with the appraisers, to be filed in the Auditor's office,) that such appraisal of damages shall be made without allowing any prospective damages, or any profits which such contractor or contractors might have made had they finished their jobs, but such contractor or contractors shall be allowed the value of their machinery upon the canal at the time the work stopped, and back per centage and scalage; which entire amount of damages, so allowed to all contractors, shall not exceed the sum of two hundred and thirty thousand dollars."

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act to improve the navigation of the rapids in Rock river at Rockford, in the county of Winnebago, and to incorporate the Rockford Hydraulic and Manufacturing Company;" in the passage of which they ask the concurrence of the Senate.

They have also concurred with the Senate in its amendments to the bill and the title for the formation of the county of Okaw.

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 14, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives respectfully to request the honorable the Senate to return to the House of Representatives a Senate bill for "An act to amend the 'Act regulating the interest on money,' approved 28th February, 1833, and to amend the 'Act making provision for organizing and maintaining common schools,' approved 26th February, 1841," which bill the House had refused to order to a second reading.

The House of Representatives have concurred with the Senate in the passage of a resolution requiring the Fund Commissioner to pay over to Duff & Co. one State bond, of one thousand dollars, in full satisfaction of their contract for the construction of the Meredosia and Springfield Railroad.

Mr. Catlin presented the petition of sundry citizens of St. Clair county praying for the relief of Thomas Palliam; which was read, and,

On motion of Mr. Catlin,

Referred to a select committee.

Ordered, That Messrs. Catlin, James, and Feaman be that committee.

Mr. Evans presented the petition of twenty-one citizens of Clay county, praying that Alexander Johnson be authorized to build a mill-dam across the Little Wabash river; which was, without reading,

On motion of Mr. Evans,

Referred the committee on Counties.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act for the relief of the collector of McLean county," reported the same back, without amendment.

Ordered that the bill be read a third time.

Mr. Baker, from the same committee, to which was referred a bill for "An act to allot the judicial circuits of this State among the several justices of the Supreme Court," reported the same back, without amendment, and recommended its rejection.

On the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Dougherty, Harris, Hoard, Johnson, Leviston, Matteson, Minard, Nunnally, Parker, Parrish, Stapp, and Willbanks—14.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Crain, Cullom, Davidson, Evans, Feaman, Fithian, Harrison, Henry, Houston, James, Killpatrick, Markley, McMurtry, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, and Worthington—24.

Mr. Thompson, from the same committee, to which was referred a bill for "An act to amend 'An act concerning estrays,' approved February 9th, 1835," reported the same back with an amendment, which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Warren,

The order of business was suspended, to enable him to offer the following order:

Ordered, That in accordance with a request from the House of Representatives, communicated to the Senate this morning, Senate bill for "An act to amend 'An act regulating the interest on money,' approved February 28, 1833, and to amend 'An act making provision for organizing and maintaining common schools,' approved, February 26, 1841," be returned to the House of Representatives by the Secretary of the Senate.

On the question of the adoption of the order, it was decided in the affirmative.

Mr. Ralston, from the committee on the Judiciary, to which was referred the petition of J. Root and others, on the subject of the Judiciary, reported the same back to the Senate, and obtained a discharge from its further consideration.

On motion of Mr. Harris,

The petition was laid on the table.

Mr. Warren, from the committee on Military Affairs, to which was referred a bill for "An act to legalize the military acts of Reese Bayless,"

reported the same back, with an amendment, which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

Mr. Dougherty, from the select committee to which was referred a bill from the House of Representatives for "An act in relation to the revenue of 1842," with amendments, reported the same back to the Senate, with an amendment.

Mr. Vandeventer moved to amend the second section of the amendment by inserting after the word "application," the words "under oath;" which was not agreed to.

Mr. Stapp moved to amend the fourth section of the amendment by adding thereto the following:

"Provided, further, that the county commissioners' courts of the several counties in this State, may, by an order to be entered on the records of their courts, respectively direct the collectors of their respective counties to receive the county revenue in the notes of specie paying banks."

Mr. Cavarly moved that the amendment to the amendment be laid on the table, and the question being taken thereon, it was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Cullom, Davidson, Dougherty, Feaman, Harris, Harrison, Hoard, James, Leviston, Matteeon, McMurtry, Minard, Parrish, Ralston, Slocumb, Thompson, and Willbanks—22.

Those who voted in the negative, are,

Messrs. Crain, Evans, Fithian, Henry, Houston, Johnson, Killpatrick, Markley, Nunnally, Parker, Ruggles, Smith, Stapp, Vandeventer, Warren, and Wynne—16.

On motion of Mr. Parrish,

The third section of the amendment reported by the committee was amended by striking out the word "August," and inserting in lieu thereof the word "September."

Mr. Killpatrick moved to amend the first section of the amendment, relating to the amount of tax to be levied on the hundred dollars, by striking out "fifteen cents," and inserting in lieu "twenty cents;" and the question being taken thereon, it was decided in the negative:

Those who voted in the affirmative, are,

Messrs. Fithian, Hoard, Killpatrick, McMurtry, Minard, Ruggles, Stapp, and Worthington—8.

Those who voted in the negative, are,

Messrs. Baker, Barpett, Catlin, Cavarly, Crain, Cullom, Davidson, Dougherty, Evans, Feaman, Harris, Harrison, Houston, James, Johnson, Leviston, Markley, Nunnally, Parker, Parrish, Ralston, Slocumb, Smith, Thompson, Vandeventer, Warren, Willbanks, and Wynne—28.

The question was then taken on concurring with the committee in the amendment reported by them, as amended, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Feaman, Harris, Houston, James, Johnson, Leviston, Markley, McMur-

try, Nunnally, Parrish, Ralston, Slocumb, Smith, Thompson, Vandeventer, Warren, Willbanks, and Wynne—25.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Fithian, Hoard, Killpatrick, Minard, Parker, Ruggles, Stapp, and Worthington—10.

Ordered, that said bill, as amended, be read a third time.

On motion of Mr. Dougherty,

The rule was dispensed with, and said bill was read a third time by its title, and

On the question—"Shall the bill pass, as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Evans, Feaman, Harris, Houston, James, Johnson, Leviston, Markley, McMurtry, Nunnally, Parrish, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—22.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Fithian, Killpatrick, Minard, Parker, Ralston, Ruggles, Smith, and Stapp—10.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate.

Mr. Stapp, from the select committee to which was referred a bill for "An act to improve the navigation of Apple river," reported the same back, with an amendment.

On motion,

The Senate adjourned to 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill for "An act regulating the salaries and fees of officers and retrenching the expenses of the State," coming up for consideration, was,

On motion of Mr. Buford,

Referred to a select committee of five.

Ordered, That Messrs. Buford, Fithian, Cavarly, Parrish, and Thompson be that committee.

The bill from the House of Representatives for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the canal debt," coming up for a third reading, as amended,

Mr. Fithian moved to amend the bill by striking out all after the word "that," in the first section, and inserting the following, to wit:

"All persons who shall become stockholders pursuant to this act, shall be and they are hereby constituted a body politic and corporate, by the name and style of the "Illinois and Michigan Canal Company," for the purpose of completing and maintaining the canal heretofore laid out and commenced by the State between Chicago, on Lake Michigan, and the Illinois river.

"**Sec. 2.** If the said corporation shall not within one year from the passage of this act commence operations on said canal, and shall not within three years thereafter complete said canal and put the same in opera-

tion, then the said corporation shall forever cease, and this act shall be null and void, and all the stock paid in, and materials collected, and work done, shall be forfeited to the State.

"Sec. 3. The capital stock of said corporation shall be nine millions of dollars, divided into shares of _____ dollars each, which shall be deemed personal property, and be transferred in such manner as the said corporation shall by its by-laws direct.

"Sec. 4. The Governor shall appoint three fit and suitable persons as commissioners, whose duty it shall be, within six months after the passage of this act, at some suitable place in the city of Chicago, to open books to receive subscriptions to the capital stock of the said corporation; sixty days public notice having first been given by the commissioners, of the time and place of opening said books, by advertisement published in the paper at Springfield, printed by the Public Printer, in one of the newspapers published in the city of Chicago, and in one of the papers published in the city of New York. The Governor shall also appoint three fit and suitable persons, whose duty it shall be, within six months after passage of this act, at some suitable place in the city of New York, to open books to receive subscriptions to the capital stock of said corporation; sixty days public notice having first been given by said commissioners, of the time and place of opening said books, by advertisements published in some of the newspapers published in the city of New York, and in some one of the newspapers published in the city of Philadelphia. When any subscription to said stock is made, the commissioners receiving such subscription shall require ten dollars per share subscribed, to be paid to them at the time of subscribing, and unless the same shall be so paid to them, the said subscription shall be vacated and annulled; and in case a greater amount in the whole shall be subscribed than the said sum of nine millions of dollars, the commissioners shall distribute the stock in such manner as a majority of them shall deem most advantageous to the interests of the State; and whenever the capital stock shall have been subscribed and distributed as aforesaid, or as soon thereafter as practicable, it shall be the duty of the said commissioners to give thirty days notice in some public newspaper or newspapers for a meeting of the stockholders, at such time and place as the said commissioners or a majority of them shall appoint, to choose three directors; and such election shall be then and there made by such of the stockholders as shall attend for that purpose, either in person or by lawful proxy; each share of the capital stock entitling the stockholder to one vote; and the said commissioners shall be inspectors of the first election of directors of the said corporation, and shall certify under their hands the names of the persons duly elected, and deliver over the subscription books and subscription money to the said directors.

"Sec. 5. The said directors shall appoint one of their number president of the board; they shall have power to appoint a secretary, and shall apportion their respective duties among themselves; and so far as it is not incompatible with the provisions of this act, shall possess all the powers, and perform all the duties, conferred upon the board of commissioners of the Illinois and Michigan canal by the act entitled "An act for the construction of the Illinois and Michigan canal," approved January 9th, 1836, and the acts supplementary and amendatory thereto.

"SEC. 6. It shall be lawful for said company to enter upon and take possession of said Illinois and Michigan canal, and every part thereof, and also, of all materials which are connected therewith, and intended to be used in the construction thereof, and which belong to the State; as also all the canal lands and canal lots belonging to the State of Illinois.

"SEC. 7. Before entering upon and taking possession of the property enumerated in the sixth section of this act, the president of the board of directors shall pay over to the Governor of this State the whole amount of canal bonds issued by this State on account of the Illinois and Michigan canal, the whole amount of canal scrip issued by the commissioners of the Illinois and Michigan canal, and the receipts of any and all contractors on the Illinois and Michigan canal, for any and all damages claimed by them as due from the State of Illinois on account of damages, scalage and back per centage.

"SEC. 8. The said directors shall have power to make calls for the payment of the capital stock of said company, in such amounts and at such times as they may deem proper.

"SEC. 9. The said corporation shall not have the power to dispose of more than one-half of the canal lands and canal lots until after said canal shall be completed, and shall have been in operation six months.

"SEC. 10. The said "Illinois and Michigan Canal Company," in addition to the grant to them made by the sixth section of this act, shall have and enjoy the occupancy and use of said canal for the period of ten years from and after its completion, and shall have the right to enact such by-laws for the government of the same, not incompatible with the laws of this State or of the United States, as they may think proper, and shall have the power to fix a tariff of tolls on said canal, which shall not be greater at any time than that established on the Wabash and Erie canal.

"SEC. 11. Said Company shall within one year commence operations on said canal, and expend the sum of five hundred thousand dollars, and shall complete and put said canal in operation within three years from the passage of this act; and should they fail to do so, the lands and lots hereby granted shall revert to the State.

"SEC. 12. This act shall go into effect whenever the payments are made to the Governor, as required by the seventh section of this act; and when this act goes into effect, so much of the acts heretofore passed by the Legislature of this State, in relation to the Illinois and Michigan canal, as conflicts with the provisions of this act, shall thereafter be repealed.

"SEC. 13. The said "Illinois and Michigan Canal Company," when organized as hereinbefore required, shall proceed and complete said canal upon the plan heretofore adopted for its construction, and shall not be at liberty to change the plan from that of the deep cut to that of the summit level, or to make any other material change in the general plan of the construction of said canal.

SEC. 14. So soon as the "Illinois and Michigan Canal Company" shall have put the said canal in operation, the president of the board of directors shall inform the Governor thereof, and within ten years from the time of putting said canal in operation, said company shall deliver the said canal in good order to the Governor of this State, and thereafter all rights acquired by said company to the bed of said canal shall forever cease."

The question was then taken on the adoption of the amendment proposed by Mr. Fithian, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Crain, Davidson, Evans, Fithian, Harris, Houston, Johnson, Killpatrick, Nunnally, Parker, Ruggles, and Smith—12.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Cullom, Davis, Dougherty, Feaman, Harrison, Henry, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Parrish, Ralston, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, Willbanks, Worthington, and Wynne—29.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act for the removal of the county seat of Crawford county;" in the passage of which they ask the concurrence of the Senate.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved a bill of the following title, to wit:

"An act to fix the times of holding circuit courts in the first judicial circuit."

Mr. Parker moved that the Senate adjourn; on the question being taken thereon, it was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Cavarly, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, Johnson, Killpatrick, Nunnally, Parker, Parrish, Ruggles, Slocumb, Smith, Willbanks, and Worthington—18.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cullom, Davis, Dougherty, Harrison, Henry, Hoard, Leviston, Markley, Matteson, McMurtry, Minard, Ralston, Ryan, Stapp, Thompson, Vandeventer, Warren, and Wynne—22.

Mr. Worthington moved to amend the bill under consideration, by inserting in the second line of the fifteenth section, after the word "canal," the following:

"But the Legislature hereby reserves the right to increase the tolls, with the view to an increase of revenue; but shall not reduce the same without the consent of the trustees."

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 15, 1843.

Senate met pursuant to adjournment.

Mr. Buford presented the petition of three hundred and fifteen citizens of Knox county, praying that certain persons might be permitted to dam the sloughs on Rock river; the reading of which was,

On motion of Mr. Buford,

Dispensed with, and the petition referred to the committee on Internal Improvements.

Mr. Davis presented the remonstrance of sundry citizens of Hancock county against a division of said county; the reading of which was,

On motion of Mr. Davis,

Dispensed with, and the remonstrance referred to the select committee to which was referred certain petitions on the same subject.

Mr. Buford, from the select committee to which was referred a bill for "An act regulating the salaries and fees of officers and retrenching the expenses of the State," reported the same back with an amendment.

Mr. Harris moved to amend the amendment by striking out the word "four," and inserting in lieu thereof the word "three."

Mr. Parker called for a division of the question so as first to take the vote on striking out. The question was then taken on striking out, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Evans, Fithian, Harris, Harrison, Henry, Houston, James, Johnson, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Vandeventer, Warren, Willbanks, Worthington, and Wynne—27.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davis, Feaman, Hoard, Killpatrick, Minard, Ryan, Stapp, and Thompson—12.

The question was then taken on inserting the word "three," and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Cullom, Dougherty, Fithian, Harris, Henry, Hoard, Houston, James, Johnson, Leviston, Markley, Matteson, Nunnally, Parrish, Ralston, Slocumb, Vandeventer, Warren, Willbanks, and Worthington—22.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Crain, Davidson, Davis, Evans, Feaman, Harrison, Killpatrick, McMurtry, Minard, Parker, Ruggles, Ryan, Smith, Stapp, Thompson, and Wynne—19.

On motion of Mr. Harrison,

The bill and amendment were laid on the table.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Crain, Davidson, Davis, Evans, Feaman, Harrison, Henry, Houston, Killpatrick, McMurtry, Minard, Parker, Parrish, Ralston, Ruggles, Ryan, Stapp, Thompson, Willbanks, Worthington, and Wynne—23.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Cullom, Dougherty, Fithian, Harris, Hoard, James, Johnson, Leviston, Markley, Matteson, Nunnally, Slocumb, Smith, Vandeventer, and Warren—17.

Mr. Dougherty, from the select committee to which was referred a bill from the House of Representatives for "An act to change the times of holding courts in the third judicial circuit," reported a substitute for the same.

The question was then taken on concurring with the select committee in their amendment to the bill, and decided in the affirmative.

Ordered that said bill, as amended, be read a third time.

Mr. Henry, from the select committee to which was referred a bill for

"An act in relation to the law library and the Council of Revision," reported the same back and recommended its passage.

Mr. Henry moved to amend the bill by adding the following as an additional section:

"**SEC.** That the county of Sangamon shall pay all damages which may occur to any property of the State; *And provided, also,* that Samuel H. Treat, S. T. Logan, and E. D. Baker, or any two of them, shall enter into bond to the Governor, conditioned for the payment of all damages as aforesaid."

On motion of Mr. Henry,

The bill and proposed amendment were re-committed to the select committee to which the bill had been previously referred.

Mr. Dougherty, from the select committee to which was referred a bill for "An act for the relief of John Hodges and William Clapp, and others," reported the same back without amendment.

Ordered that the bill be engrossed for a third reading.

Mr. Catlin offered the following preamble and resolution, which under the rule lie one day on the table:

Whereas, Rev. J. M. Peck is engaged in collecting materials and preparing an elaborate history of Illinois, and it would aid him much in its prosecution to have access to the volumes of American State Papers on the Public Lands, now in the office of the Secretary of State, of which there are surplus copies beyond the demand for each county in the State; therefore,

Resolved by the Senate, the House of Representatives concurring herein, That the Secretary of State be authorized to furnish said J. M. Peck, with one copy of each of the volumes of State Papers on the Public Lands.

On motion of Mr. Catlin,

The rule was dispensed with, and said preamble and resolution acted upon.

Mr. Dougherty moved to amend the resolution by adding to it the words "to be returned within one year by him."

On motion of Mr. Dougherty,

The preamble and resolution were referred to a select committee.

Ordered, That Messrs. Dougherty, Cavarly, and Catlin be that committee.

Mr. Warren offered for adoption the following resolution, which lies one day on the table:

Resolved by the Senate, the House of Representatives concurring herein, That both branches of the Legislature adjourn, *sine die*, on the 27th inst. at eight o'clock, A. M.

Mr. Warren moved to dispense with the rule and consider the resolution now; and the question being taken on dispensing with the rule,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cavarly, Davidson, Flithian, Harris, Harrison, Hoard, James, Leviston, Matteson, McMurtry, Nunnally, Parker, Raiston, Slocumb, Smith, Thompson, Warren, Willbanks, and Wynne—22.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Crain, Davis, Evans, Feaman, Henry, Hous-

ton, Johnson, Killpatrick, Markley, Parrish, Ruggles, Ryan, Stapp, Vandeventer, and Worthington—17.

Mr. Davidson offered for adoption the following resolution; which was adopted, the rule having been, on his motion, dispensed with:

Resolved, That the Fund Commissioner be requested to report to the Senate, within the next two days, the amount of funds he has received since his being in office, from what sources, or from whom he has received the same; at what times they have been so received and in what kind of funds, and that he further state what moneys he has paid out, to whom paid, at what time, and in what kind of funds, the amount of funds he now has on hand, and what kind.

Mr. Davis, from the committee on the Judiciary, to which was referred a bill for "An act to make judgments a lien from the date of the issuing of the *capias*," reported the same back with an amendment; which was concurred in, and the bill as amended

Ordered to be engrossed for a third reading.

On motion of Mr. Harrison,

The order of business was suspended to enable Senators to call up bills.

A bill from the House of Representatives for "An act to regulate the times of holding courts in the sixth judicial circuit," was taken from the messages, on motion, read a first time by its title, and

Ordered to a second reading.

The rule having been further dispensed with, it was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Harrison, Buford, and Ruggles be that committee.

A bill from the House of Representatives was taken from the messages for "An act changing the times of holding circuit courts in the ninth judicial district of the State of Illinois," was read,

Ordered to a second reading,

And the rule having been dispensed with, on motion, was read a second time by its title, and

Ordered to a third reading, and,

The rule having been, on motion, further dispensed with, was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill from the House of Representatives was also taken from the messages for "An act to change the times of holding courts in the second judicial circuit, and to include the county of Perry in said second judicial circuit," read, and

Ordered to a second reading.

And the rule having been, on motion, dispensed with, it was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Smith, Crain, and Catlin be that committee.

A bill for "An act to repeal the laws incorporating the town of Chester," as amended by the House of Representatives, was then taken up, on motion, and the amendment concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

A bill from the House of Representatives for "An act to change the times of holding courts in the third judicial circuit," ordered to a third reading

this morning, as amended, was taken up, read a third time by its title, the rule having been, on motion, dispensed with, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate.

Engrossed bill for "An act for the relief of the estate of John Wright, deceased," was taken up, on motion, and referred to a select committee.

Ordered, That Messrs. Hoard, Matteson, and Minard be that committee.

Engrossed bill for "An act authorizing Vermilion and Iroquois counties to sell certain lands, and to make certain payments to Champaign county, and for other purposes," was taken up, read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

A bill for "An act explanatory of an act entitled 'An act regulating the sale of property on judgments and executions,' approved January 6, 1843," was read a second time, when,

Mr. Markley moved to amend the same by adding to the first section the following:

"*Provided*, that no property shall be sold under the provisions of this act, or the act to which this is a supplement, without the concurrent valuation of all the appraisers, any thing in said act to the contrary notwithstanding."

And the question being taken on said amendment,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Davis, Markley, Stapp, Thompson, and Warren—7.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Crain, Cullom, Davidson, Evans, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Vandeventer, Willbanks, Worthington, and Wynne—32.

Mr. Ralston offered the following as an additional section to said bill:

"Sec. 3. Hereafter property shall be valued and appraised at its fair and reasonable cash value, any thing in the act to which this is an amendment to the contrary notwithstanding."

Mr. Killpatrick moved to amend the additional section proposed, by striking out the word "cash."

Mr. Harris moved that the additional section proposed, and the amendment to the same, be laid on the table; and the question being taken on this motion,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Barnett, Evans, Harris, Nunnally, Parker, Warren, and Willbanks—7.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cavarly, Crain, Cullom, Davidson, Davis, Feaman, Fithian, Henry, Hoard, Houston, James, Johnson, Killpatrick, Levistou, Markley, Matteson, McMurtry, Minard, Parrish, Ralston, Ruggles,

Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Worthington—30.

The question was then taken on the adoption of the amendment to the amendment, and decided in the affirmative.

Mr. Killpatrick moved further to amend the amendment, by striking out the words "anything in the act to which this is an amendment to the contrary notwithstanding," and inserting in lieu thereof, the words "without any regard to the words 'ordinary times,' in the act to which this is a supplement;" and the question being taken upon the adoption of this amendment to the amendment,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Markley, McMurtry, Minard, Ralston, Ruggles, Smith, Stapp, Thompson, Vandeventer, and Worthington—25.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Crain, Evans, Harris, Leviston, Nunnally, Parker, Parrish, Slocumb, Warren, Willbanks, and Wynne—13.

Mr. Parker moved that the amendment be further amended by adding thereto the following:

"Provided, however, that any real property which may be offered for sale under the provisions of this act, and shall fail to sell within twelve months from the date of the execution, or the plaintiff refuse to take the same, agreeably to the provisions of this act, his lien shall altogether cease, as against said property, as against other judgment creditors."

On motion of Mr. Baker,

Said amendment to the amendment was laid on the table.

Mr. Parker moved that the amendment, as amended, be laid on the table, and the question being taken on this motion,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Crain, Evans, Harris, Leviston, Nunnally, Parker, Parrish, Warren, Willbanks, and Wynne—12.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Worthington—27.

Mr. Baker moved the previous question, and

On the question—"Shall the main question be now put?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Worthington—27.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Crain, Evans, Harris, Leviston, Nunnally, Parker, Parrish, Warren, and Wynne—11.

The question was taken on the adoption of the amendment, as amended, and decided in the affirmative.

Those who voted in the affirmative, are,
Messrs. Baker, Buford, Catlin, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Worthington—27.

Those who voted in the negative, are,
Messrs. Barnett, Cavarly, Crain, Evans, Harris, Leviston, Nunnally, Parker, Parrish, Warren, and Wynne—11.

The question was put—"Shall the bill, as amended, be engrossed for a third reading?" and decided in the affirmative.

Those voting in the affirmative, are,
Messrs. Baker, Buford, Catlin, Cavarly, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Worthington—28.

Those voting in the negative, are,
Messrs. Barnett, Crain, Evans, Harris, James, Nunnally, Parker, Parrish, Warren, and Wynne—10.

On motion,
The Senate adjourned to 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill for "An act to improve the navigation of Apple river," as proposed to be amended by the select committee, which had had the same in charge, coming up for consideration, the question was put on concurring with the select committee, and decided in the affirmative.

Ordered to be engrossed for a third reading, as amended.

On motion of Mr. Cavarly,
The order of business was suspended, and the resolution offered by him in relation to the appointment of a committee to make certain proposals to the Bank of Illinois, was taken up, and,

On motion of Mr. Warren,
Laid on the table until the 4th of July next.

Those who voted in the affirmative, are,
Messrs. Baker, Barnett, Catlin, Crain, Davis, Evans, Harris, Henry, Hoard, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Nunnally, Parrish, Ralston, Ruggles, Vandeventer, Warren, and Wynne—23.

Those who voted in the negative, are,
Messrs. Buford, Cavarly, Cullom, Davidson, Feaman, Fithian, Harrison, Houston, Leviston, Parker, Ryan, Slocumb, Smith, Stapp, Thompson, Willbanks, and Worthington—17.

A bill for "An act to provide for the completion of the Illinois and Michigan canal, and to pay the canal debt," came up for consideration. The question pending being upon the adoption of the amendment proposed by Mr. Worthington, the same was put and decided in the affirmative.

Mr. Parker moved to amend the bill by adding the following proviso:

"Provided, that when the canal debt is liquidated and the canal and its appendages shall revert to the State, the said trustees shall restore the same in good and sufficient repair;" and the question being taken upon the adoption of said amendment.

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Barnett, Cavarly, Crain, Davidson, Evans, Fithian, Harris, Houston, Johnson, Leviston, Nunnally, Parker, Parrish, Warren, Willbanks, and Wynne—16.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Cullom, Davis, Feaman, Harrison, Henry, Hoard, James, Killpatrick, Markley, Matteson, McMurtry, Minard, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Worthington—23.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act in relation to the county of Adams."

In the passage of which I am directed to ask the concurrence of the Senate.

Mr. Smith moved to amend the twentieth section, by striking out the following words:

"And the State hereby solemnly pledges its faith to supply by further legislation all such defects as may be found necessary to enable the said trustees to carry into full effect the fair and obvious intent of this act;" which was not agreed to.

Mr. Nunnally moved to amend the bill in the thirteenth section of the same, by adding after the word "proper," in the fourteenth line, the following:

"Provided, that the avails arising from such sales shall be promptly applied by said trustees to the redemption of the original canal indebtedness, commencing with the oldest claims first, and progressing in like manner until all the avails thus accruing shall be exhausted, or the indebtedness liquidated;" which was,

On motion of Mr. McMurtry,

Laid on the table.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Cullom, Davis, Feaman, Harrison, Henry, Hoard, James, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeventer, Willbanks, and Worthington—23.

Those who voted in the negative, are,

Messrs. Barnett, Crain, Davidson, Evans, Fithian, Harris, Houston, Johnson, Killpatrick, Leviston, Nunnally, Parker, Parrish, Slocumb, Smith, Warren, and Wynne—17.

Mr. Worthington moved to amend the sixteenth section of the bill as follows:

In the eighth line, after the word "the," insert the words "interest due upon the;" in the eleventh line of the same section, strike out the words

time and;" also strike out the word "are" and insert the word "is," and add the words, "and after paying the interest as above the bonds held by subscribers to this loan shall be last paid."

On motion of Mr. Cavalry,

The proposed amendment was laid on the table.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly rolled, and laid before the Council of Revision, bills of the following titles:

"An authorizing counties to give a bounty on wolf scalps," and

"An act to repeal the laws incorporating the town of Chester."

Pending the question on ordering the bill under consideration to a third reading,

Mr. Catlin moved to amend the bill by adding the following:

"*Provided*, that if at any time the Governor of the State shall be of opinion that the business on said canal is not conducted in a proper and economical manner, he shall report the same to the Legislature when session, and such rules and regulations may be adopted by the Legislature as may be thought to be for the best interest of the canal, as well as the State."

Mr. Henry moved to lay the proposed amendment on the table; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Buford, Cullom, Davis, Harrison, Henry, Hoard, James, Markley, Matteson, McMurtry, Minard, Ruggles, Ryan, Stapp, Thompson, Vandeventer, and Wynne—17.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavalry, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, Johnson, Killpatrick, Leviston, Nunnally, Parker, Parrish, Ralston, Slocumb, Smith, Warren, Willbanks, and Worthington—22.

The question was then taken on the adoption of the proposed amendment, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavalry, Crain, Davidson, Evans, Feaman, Fithian, Harris, Harrison, Houston, James, Johnson, Killpatrick, Leviston, Nunnally, Parker, Parrish, Ralston, Slocumb, Smith, Stapp, Warren, Willbanks, Worthington, and Wynne—27.

Those who voted in the negative, are

Messrs. Buford, Cullom, Davis, Henry, Hoard, Markley, Matteson, McMurtry, Minard, Ruggles, Ryan, Thompson, and Vandeventer—13.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved a bill of the following title:

"An act authorizing counties to give a bounty on wolf scalps."

Mr. Davis moved that the Senate adjourn; which was not agreed to.

Mr. Baker moved to re-consider the vote last taken on the adoption of the amendment of Mr. Catlin.

Mr. McMurtry moved that the Senate adjourn; which was not agreed to.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 16, 1943.

Senate met pursuant to adjournment.

A message from the Governor, by Mr. Trumbull, Secretary of State.

Mr. Speaker: I am directed by the Governor to lay before the Senate communication in writing.

Mr. Speaker announced a communication from the Governor on executive business.

On motion of Mr. Cavarly,

The communication was acted on with open doors.

The communication is as follows:

EXECUTIVE DEPARTMENT,
Springfield, Feb. 16, 1943

I nominate John P. Haggard, of Carthage, Hancock county, to be administrator of the county of Hancock.

THOMAS FORD.

On motion of Mr. Davis,

Said nomination was advised and consented to by the Senate.

On motion of Mr. Stapp,

The vote taken on yesterday, on laying on the table a bill for "An act regulating the salaries and fees of officers, and retrenching the expenses of the State," was re-considered.

On motion of Mr. Johnson,

Said bill was referred to a select committee of five.

Ordered, That Messrs. Johnson, Cavarly, Davidson, Matteson, and Leviston be that committee.

Mr. Davidson, from the committee on School Lands and Education, which was referred a bill for "An act to locate an academy in Will county, and for other purposes," reported the same back, without amendment and recommended its passage.

Ordered that said bill be engrossed for a third reading.

Mr. Harrison, from the committee on Internal Navigation, to which was referred a bill for "An act to authorize the county commissioners of Rock Island county to build a free bridge across Rock river," reported the same back without amendment, and recommended its passage.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and said bill was read third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Harris, from the committee on Petitions, to which was referred a petition of Henry McClain, &c., reported the same back, and asked to be discharged from its further consideration; which was granted, and,

On motion of Mr. Markley,

Said petition was laid on the table.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act further to amend the law relating to practice in courts," reported the same back, with an amendment; which was concurred in.

Ordered that said bill, as amended, be engrossed for a third reading

Mr. Slocumb, from the committee on Salines and Saline Lands, to which referred a House bill for "An act for the relief of the widow and heirs of Tyler D. Hewitt, deceased, late commissioner of saline lands," reported the same back, without amendment, and recommended its rejection.

On motion of Mr. Parker, said bill was laid on the table.

Mr. Davis, from the committee on the Judiciary, to which was referred for "An act requiring the county commissioners' courts of the several counties to provide a general index, &c." reported the same back, without amendment.

On motion of Mr. Davis, said bill was laid on the table.

Mr. Hoard, from the select committee to which was referred a bill for an act for the relief of the estate of John Wright, deceased," reported the same back, with an amendment; which was concurred in.

On motion of Mr. Hoard, the rule was dispensed with, and said bill read a second time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Davis, from the select committee to which was referred a bill for an act concerning the records of Hancock county," reported the same back, with an amendment; which was concurred in.

On motion of Mr. Davis, the rule was dispensed with, and said bill read a third time by its title and passed.

On motion of Mr. Davis, the title was amended, by striking it out and inserting the following: "An act to amend an act entitled 'An act to provide for transcribing the records therein named,' approved Feb. 12, 1835."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Crain, from the select committee to which was referred a bill for an act in relation to pedlars," reported the same back with an amendment.

Mr. Stapp moved to lay the bill and proposed amendment on the table for the 4th day of July next; which was agreed to, by the following vote: Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Houston, James, Johnson, Killpatrick, Markley, McMurtry, Mill Parrish, Ruggles, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Worthington—23.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Evans, Feaman, Harris, Nunn, Parker, Ralston, Smith, Warren, Willbanks, and Wynne—14.

On motion of Mr. Cavarly,

the order of business was suspended, and the Senate proceeded to the consideration of the orders of the day.

Senate bill for "An act to prevent towns and cities from issuing warrants to circulate as money," was read a third time.

Mr. Killpatrick moved to amend the bill, by adding the following:

"This shall not apply to towns that do not issue scrip for circulation as a medium of exchange."

On motion of Mr. Ralston,

The proposed amendment was laid on the table.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Davis, Evans, Feman, Harris, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Thompson, Warren, Willbanks, and Wynne—25.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Ruggles, Smith, Stapp, Vandeventer, and Worthington—14.

The question was then taken on the passage of the bill, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Davis, Evans, Feman, Harris, Harrison, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—25.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Fithian, Henry, Johnson, Killpatrick, Smith, Stapp, and Worthington—10.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Ewing, the Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred in the amendment of the Senate to a bill for "An act in relation to the revenue of 1842."

Senate bills of the following titles were severally read a third time and passed, to wit:

"An act authorizing John M. Robinson and others to establish a ferry across the Sangamon river, and for other purposes;"

"An act providing for the making of an index to the records of the county, and for other purposes;"

"An act to authorize the county commissioners of Wayne county to transfer a certain lot of ground therein named;"

"An act to authorize Charles G. Eldridge to keep a ferry across the Mississippi river;"

"An act to enable Smith Turner, of Mason county, to establish a ferry across the Sangamon river;"

"An act for the relief of Abraham J. Vandegrift and others;"

"An act to locate a State road therein named," and

"An act in relation to public roads in the county of Washington."

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed a bill for "An act in relation to the county seat of Jackson county."

In the passage of which they ask the concurrence of the Senate.

Engrossed bill for "An act to re-locate a part of the St. Louis road," was read a third time.

Mr. Smith moved to lay the bill on the table until the 4th day of July next.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a written communication.

The question pending at the adjournment being upon laying on the table until the 4th day of July next engrossed bill for "An act to re-locate a part of the St. Louis road," the same was put, and decided in the affirmative.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved a bill for "An act to repeal the laws incorporating the town of Chester."

On motion of Mr. Cavarly,

The order of business was suspended, and the bill from the House of Representatives for "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt," was taken up.

Mr. McMurtry moved a call of the Senate; which proceeded.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act to authorize Calvin Boyd and James Shepherd to collect certain taxes."

In the passage of which they ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the passage of a bill for "An act to attach part of Tazewell county to the county of Woodford," as amended by them.

In which amendments they ask the concurrence of the Senate.

On motion of Mr. Cullom,

Senate bill for "An act to attach part of Tazewell county to the county of Woodford," as amended by the House of Representatives, was taken up during the pendency of the call of the Senate, and the amendments of the House of Representatives concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Killpatrick,

The further call of the Senate was dispensed with.

The question pending, in relation to the bill under consideration, being upon the motion of Mr. Baker to re-consider the vote taken at the afternoon session of yesterday, upon the adoption of the amendment offered by Mr. Catlin to said bill, the same was put, and decided in the affirmative.

Mr. Davidson moved to amend that amendment, by adding thereto the following:

"Provided, further, that the rights and privileges herein granted to said subscribers shall not be impaired, or in any way infringed upon."

And the question being taken upon the adoption of said amendment to the amendment,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Cavarly, Davidson, Fithian, James, Johnson, Killpatrick, Parker, Parrish, Slocumb, Smith, and Willbanks—11.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Callom, Davis, Dougherty, Evans, Feaman, Harris, Harrison, Henry, Hoard, Houston, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeventer, Warren, and Worthington—29.

Mr. Vandeventer moved to amend the amendment, by striking out all after the words "Provided, that," and inserting instead thereof the following:

"As soon as the canal shall be completed and in operation, it shall be the duty of the Governor to examine as to its management and administration, at suitable periods; and whenever in his opinion its administration shall in any material particular, whether in expenses, salaries or otherwise, violate the spirit and intent of this act, he shall cause the matters and things complained of to be presented to the circuit court of the county of Cook, in a proper and summary manner, and the judge thereof may regulate the matter or thing complained of according to the true spirit of this act, doing justice to all parties, and being regulated in his judgment as far as practicable by the usages and customs on other canals."

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have passed bills of the following titles:

"An act to create the county of Milton;"

"An act to authorize the county commissioners of Jackson county to borrow money for certain purposes therein named;"

"An act to change the name of Portland, in Cook county, to the name of Blue Island;"

"An act concerning certain sales of school lands in Effingham county;"

"An act to legalize the recorded plat of school section addition to Chicago, and for other purposes;"

"An act authorizing the erection of a mill-dam across Rock river;"

"An act to authorize Price H. Howell and John Hodgson to build a mill-dam;"

"An act to authorize the canal commissioners to pay the back percentage on section 187;"

"An act authorizing William Kinney to pay his indebtedness to the State in State bonds or scrip;"

"An act authorizing the building of a bridge across Rock river;"

"An act for the relief of Richard Dougherty, of Schuyler county;"

"An act providing a voluntary mode of registering births and deaths;"

"An act authorizing the erection of a bridge across Rock river, at Rockford;"

"An act to define the line between McLean and Woodford counties;"

"An act to authorize John W. Smith, Benjamin B. Brown, Abijah Smith, and Charles McClure to build a dam across Fox river;"

"An act changing the name of the town of Harrisburg, in Whiteside county;"

"An act to authorize the building of a bridge over the Pekatonica river in Stephenson county;"

"An act for the relief of persons who have made improvements on lands near the line of the Illinois and Michigan Canal;"

"An act to amend an act entitled 'An act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties;"

"An act to re-locate so much of the State road as lies between Springfield and Peoria, in the State of Illinois;"

"An act to locate a State road therein named;"

"An act to change the name of the town of Georgetown, in Kendall county;"

"An act to attach part of the county of La Salle to the county of Marshall;"

"An act to regulate the fees of the clerks of the circuit courts in cases of naturalization of foreigners;"

"An act to confirm the acts of John J. McGraw, justice of the peace for DeWitt county;"

"An act for the relief of Henry B. Cone and James W. Noble;"

"An act for the relief of the late collector of Du Page county;"

"An act to authorize John T. Davis and his associates to build a mill on Saline creek, in Williamson county;"

"An act to amend the act entitled 'An act concerning a town plat therein named,' approved February 17, 1841;"

"An act to provide for the permanent location of the county seat of Winnebago county;"

"An act making a partial change in the appropriation of the saline lands to the counties of Clay and Richland;"

"An act for the relief the collector of Pope county;"

"An act to authorize the county commissioners of Fulton county to collect certain moneys therein named;"

"An act for the relief of McHenry county;"

"An act to incorporate the Tazewell County Farmers' and Mechanics' Company;"

"An act to repeal the ninth section of an act for the formation of the county of Woodford;"

"An act to incorporate the town of Macedonia, in Hancock county, and for other purposes;"

"An act declaring a certain road therein named a State road, and for locating a State road from the east line of Mercer county to the town Millersburg, in said county;"

"An act to locate the permanent seat of justice of Mercer county;"

"An act to enable the inhabitants of school townships in Hancock county to purchase the school lands therein, and for other purposes;"

"An act defining the boundaries of McHenry county;"

"An act in relation to the Supreme Court;"

"An act granting to the city of Quincy the right of way upon that portion of the Northern Cross Railroad lying within its limits;"

"An act to change the name of a town, and for other purposes;"

"An act fixing the times of holding the courts in the eighth judicial circuit."

In the passage of which bills I am directed to ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the passage of bills of the following titles, with amendments:

"An act to fix the tenure of certain officers;"

"An act to confine justices of the peace to their respective districts.

In which amendments they ask the concurrence of the Senate.

They have also concurred with the Senate in the passage of a bill for "An act for the relief of William M. Bell;" and have adopted the following resolution, in which they ask the concurrence of the Senate:

Resolved by the House of Representatives, the Senate concurring herein, That all moneys in the hands of the Fund Commissioner, John D. Whiteside; also, in the hands of James Barret, late agent of the Fund Commissioner, be forthwith paid into the State Treasury, and that the same be receipted for by the proper officer.

Mr. Cavarly moved that the amendment proposed by Mr. Vandeventer, to the amendment to the bill under consideration, be laid on the table; and the question being taken upon laying the same on the table,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, James, Killpatrick, Leviston, Nunnally, Parker, Parrish, Slocumb, Smith, Warren, Willbanks, and Wynne—20.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davis, Harrison, Henry, Hoard, Johnson, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeventer, and Worthington—20.

Mr. Speaker voted in the negative.

The question was then taken the adoption of the amendment to the amendment, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davis, Harrison, Henry, Hoard, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeventer, and Worthington—19.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, James, Johnson, Killpatrick, Leviston, Nunnally, Parker, Parrish, Slocumb, Smith, Warren, Willbanks, and Wynne—21.

Mr. Ryan moved a call of the Senate; which proceeded for a short time, and was, on motion of Mr. Hoard, dispensed with.

Mr. Davidson moved a call of the Senate; which proceeded, and was, on motion of Mr. Ralston, dispensed with.

Mr. Markley moved that the amendment proposed by Mr. Catlin be laid on the table; and the question being taken thereon,

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davis, Dougherty, Harrison, Henry, Hoard, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeverter, and Worthington—21.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, James, Johnson, Killpatrick, Leviston, Nunnally, Parker, Parrish, Slocumb, Smith, Warren, Willbanks, and Wynne—20.

Mr. Davidson moved to amend the bill, by adding thereto the following:

"Sec. If at any time the Governor shall be satisfied that the trust conferred upon said company is abused by a misapplication of the funds resulting from the sales of the lands, lots, water power, or tolls; or that said company is maintaining an unnecessary expenditure of money in high and extravagant salaries, or supernumerary officers, that he may communicate the same to the Legislature, and the Legislature may, upon the recommendation of the Governor, pass such laws as they may judge expedient to correct such abuse or misapplication of the funds; but in no event shall the Legislature be authorized to revoke the trust hereby created, or impair or infringe upon the securities hereby granted."

Mr. Vandeverter moved that the amendment be laid on the table; and the question being taken thereon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davis, Dougherty, Harrison, Henry, Hoard, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeverter, and Worthington—20.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, James, Johnson, Killpatrick, Leviston, Nunnally, Parker, Parrish, Slocumb, Smith, Warren, Willbanks, and Wynne—21.

Mr. Worthington moved that the amendment proposed by Mr. Davidson be amended, by striking out the whole of it after the word "officers," and inserting in lieu of the part stricken out, the following:

"The Governor shall direct suit to be brought against the said trustees; and upon proof of any such misapplication of the funds created by the said trust, the court shall assess the damages sustained by the State; which damages shall be deducted from any money due from the State to the stockholders."

And the question being taken upon the adoption of said amendment to the amendment,

It was decided in the negative.

Those voting in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davis, Harrison, Henry,

Hoard, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeventer, Warren, and Worthington—20.

Those voting in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Feaman, Fithian, Harris, Houston, James, Johnson, Killpatrick, Leviston, Nunnally, Parker, Parrish, Slocumb, Smith, Willbanks, and Wynne—21.

The question was then taken on the adoption of the amendment proposed by Mr. Davidson, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, Johnson, Killpatrick, Leviston, Nunnally, Parker, Parrish, Siocumb, Smith, Warren, Willbanks, and Wynne—20.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davis, Dougherty, Harrison, Henry, Hoard, James, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeventer, and Worthington—21.

On motion of Mr. Worthington,

The sixteenth section of said bill was amended, by striking out all between the word "the," in the twelfth line, and the word "provided," and inserting in lieu thereof the following:

"Interest due upon the bonds and other evidences of indebtedness held by the subscribers to the said loan, a description whereof shall have been filed with the Governor, as provided in the ninth section of this act, until the interest thereon is fully paid. Third, the said trustees shall then make annual dividends and payments of said money upon the interest due to the non-subscribing holders of bonds or other evidences of canal indebtedness. Fourth, after paying all interest due such non-subscribing bond holders, the said trustees shall make annual dividends *pro rata* upon the principal of the bonds and other evidences of canal indebtedness held by the subscribers to said loan, as provided for by the ninth section of this act, until the same shall be liquidated; at which time the trust hereby created shall cease, and the canal shall revert to the State, with all the appurtenances thereunto belonging."

Mr. Willbanks moved that the Senate adjourn; which was not agreed to.

On motion of Mr. Ryan,

The fifteenth section of said bill was amended, by adding thereto the following:

"And that said canal, when completed, shall in all future time be free for the transportation of the troops of the United States and their munitions of war, without the payment of any toll whatever."

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 17, 1843.

The Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform

the Senate, that they have concurred with the Senate in the passage of bills of the following titles:

"An act to legalize the survey of the town of Mount Vernon;"

"An act to vacate a State road therein named," and

"An act to change the name of the town of Florence, Ogle county, to that of Oregon."

The House of Representatives have also concurred with the Senate in the passage of a bill for "An act to amend an act entitled 'An act concerning the public revenue,'" with amendments, in which amendments they ask the concurrence of the Senate.

They have passed bills of the following titles:

"An act to amend an act entitled 'An act to authorize the supervisor of the village of Cahokia to lease part of the common appertaining to the village of Cahokia,'" and

"An act regulating election precincts in the city of Chicago."

Mr. Stapp presented the petition of sundry citizens in the town of Greenfield, in Warren county, praying a change of the name of said Greenfield to Greenbush; which was, without reading,

On motion of Mr. Stapp,

Referred to the select committee having in charge a bill for "An act concerning ordinary times."

Mr. Ruggles presented the petition of Francis Van Volkenburgh, praying the passage of a law enabling him to purchase certain land therein named; which was read, and,

On motion of Mr. Ruggles,

Referred to a select committee.

Ordered, That Messrs. Ruggles, Matteson, and Buford be that committee.

Mr. Dougherty presented the petition of sundry citizens of Johnson and Union counties, in relation to a road therein named; also, that the petition of sundry citizens of Johnson and Alexander counties, praying for the formation of a new county, the reading of which petitions was dispensed with,

On motion of Mr. Dougherty,

And the first petition referred to the committee on Public Roads, and the last to the committee on Counties.

Mr. Fithian, from the select committee to which was referred a bill "An act to appropriate the avails of the saline lands in this State to the payment of the State debt," reported the same back without amendment, and recommended its passage.

Mr. Fithian moved that the bill be referred to the committee on Salines and Saline Lands; which was not agreed to.

Mr. Parrish moved that the bill be laid on the table until the 4th of July next, and the question being taken thereon, It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Crain, Davidson, Davis, Dougherty, Feaman, Houston, James, Johnson, Leviston, Matteson, McMurtry, Minard, Nunnally, Parrish, Weston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—21.

Those who voted in the negative, are,
Messrs. Barnett, Buford, Catlin, Cavarly, Cullom, Fithian, Harris, Henry, Hoard, Killpatrick, Markley, Parker, Ruggles, Ryan, Stapp, and Worthington—16.

A message was received from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have concurred with the Senate, in their amendments to bills of the following titles:

“An act in relation to the poor house in Jersey county,” and

“An act to amend an act entitled ‘An act relative to wills and testaments, executors and administrators, and the settlement of real estate,’ approved January 23, 1829.”

And that they have concurred with the Senate in the passage of a bill for “An act for the relief of the Shilo Meeting House Tract.”

Mr. Cavarly, from the select committee to which was referred a preamble and resolution authorizing the Secretary of State to furnish Rev. J. M. Peck with certain volumes of State Papers, reported the same back with an amendment, in which the Senate refused to concur.

The question was then taken on the adoption of the preamble and resolution, and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Vandeventer, from the select committee to which was referred a bill for “An act to change the times of holding circuit courts in the fifth judicial circuit,” reported the same back with an amendment.

On motion of Mr. Markley,

The bill and amendment were referred to a select committee of six.

Ordered, That Messrs. Markley, Stapp, Ralston, Vandeventer, Mr. Murtry, and Davis be said committee.

Mr. Vandeventer, from the select committee to which was referred a bill for “An act concerning ordinary times,” reported the same back with an amendment; which was concurred in, and the bill as amended

Ordered to be engrossed for a third reading.

Mr. Parker, from the committee on Public Roads, to which was referred a certain petition, reported a bill for “An act confirming the survey and location of a State road from Charleston to Peoria;” which was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Parrish, from the select committee to which was referred a bill for “An act to authorize the county commissioners’ court of Jackson county to borrow money,” reported the same back with an amendment; which amendment

Mr. Stapp moved to amend by striking it out and inserting the following instead of the same:

“All laws and parts of laws now in force in this State, authorizing the collection of docket fees in each suit in which the title to lands shall come in question, five dollars; in each suit where the title to lands does

not come in question, two dollars and fifty cents, and in each chancery suit, five dollars, be and the same are hereby repealed."

On motion of Mr. Parker,

Said bill and amendments were referred to a select committee of five.

Ordered, That Messrs. Parker, Ralston, Parrish, Stapp, and Cavarly be that committee.

On motion of Mr. Parker,

Leave was granted for the withdrawal of a petition and plat accompanying a bill reported by him, on this morning, from the committee on Public Roads.

On motion of Mr. Thompson,

The order of business was suspended and Senate bill for "An act to incorporate the Peoria Water Company," as amended by the House of Representatives, was taken from the table, and the amendments concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Fithian,

The order of business was suspended, and a bill from the House of Representatives for "An act to create the county of Milton," was taken up, read a first time by its title, and

Ordered to a second reading.

On motion of Mr. Fithian.

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Fithian, Johnson, and Parker be that committee.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles:

"An act to attach part of Tazewell county to the county of Woodford;"

"An act for the relief of William M. Bell,"

"An act for the relief of the Shilo Meeting House Tract."

Mr. Matteson, from the committee on Finance, reported the following:

Resolved by the Senate, the House of Representatives concurring herein, That the Auditor of Public Accounts be requested to report to the two Houses, as early as practicable, upon the subject of the domestic finances of the State, and upon the practicability of the adopting of any plan by which the Treasury can be disembarrassed, and an arrangement made to settle the account between the State and Messrs. Macalister & Stebbins.

On motion of Mr. Matteson,

The rule was dispensed with, and said resolution considered and adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Parker moved that the Senate adjourn to 2 o'clock, P. M., which was not agreed to.

The bill from the House of Representatives for "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt," coming up, and the question pending thereon being upon ordering the same to a third reading, as amended,

Mr. Parker moved a call of the Senate; which progressed, and was on motion of Mr. Davis, dispensed with.

Mr. Killpatrick moved that said bill be further amended by adding to the fourteenth section, the following:

"The Governor shall transmit a copy of the report of said trustees, as provided in this section, to the Legislature at its regular sessions, and if it shall appear to the satisfaction of the Legislature that the moneys and resources of the canal, arising out of the sale of lands, lots, water power, or other property conveyed to said company in trust by the provisions of this act, or the tolls, rents, or revenue of any kind derived from said canal when put in operation, shall be by said trustees improperly, or shall have been expended contrary to the true spirit and meaning of this act, the Legislature shall pass such laws and enforce such rules and regulations as to them shall seem necessary and just, to correct the evil and guard and secure the interest of the State, as well as the company hereby created; *Provided*, the Legislature shall not repeal or annul this act or any of its provisions."

Mr. Parrish moved to amend the amendment, by striking out the word "shall," between the word "Legislature" and the word "pass," and inserting instead of the same the word "may."

Mr. Stapp moved that the amendment proposed by Mr. Killpatrick be laid on the table.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk, was received:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of bills of the following titles:

"An act to vacate the town of Rock Island City;"

"An act to change the name of the town of St. Marion, in Ogle county, to that of Buffalo," and

"An act to locate certain roads therein named."

The House of Representatives have concurred with the Senate in their amendment to a certain preamble and resolutions of the House; which amendment was to strike out the word "insignificant," in the second line of the first resolution, and insert the words "not insurmountable."

They have concurred with the Senate in the passage of a certain memorial and resolutions of the Senate, praying Congress to pass laws making appropriations for the improvement of the navigation of the western waters, as amended by them, in which amendment they ask the concurrence of the Senate.

They have concurred with the Senate in their amendment to a bill for "An act authorizing the erection of a bridge across Rock river;" also, to "An act for the relief of Harrison W. Higgs;" also, to "An act to alter the provisions of 'An act making provisions for organizing and maintaining common schools,' approved February 26, 1841."

On motion of Mr. Harris,

The vote given on yesterday, upon the question of laying on the

table until the 4th of July next, engrossed bill for "An act to re-locate a part of the St. Louis road," was re-considered.

The question was then again put—"Shall the bill be laid on the table until the 4th of July next?" and decided in the negative, and

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bill from the House of Representatives for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the Canal debt," again coming up for consideration, as proposed at the morning session to be amended by Mr. Killpatrick, in the fourteenth section,

On motion of Mr. Davis,

The amendment offered to the fourteenth section was laid on the table.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davis, Harrison, Henry, Hoard, James, Johnson, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Ryan, Smith, Stapp, Thompson, Vandeventer, and Worthington—23.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, Killpatrick, Leviston, Nunnally, Parker, Parrish, Slocumb, Warren, Willbanks, and Wynne—17.

Mr. Harris offered the following, as an additional section to said bill:

"Sec. 23. The Legislature reserves the right to repeal, alter, or amend the provisions of this act, whenever the public good may require it;" which was,

On motion of Mr. McMurtry,

Laid on the table.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davidson, Davis, Feaman, Harrison, Henry, Hoard, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Ralston, Ruggles, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, and Worthington—25.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Evans, Fithian, Harris, Houston, Johnson, Nunnally, Parrish, Smith, Willbanks, and Wynne—13.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles, to wit:

"An act to attach part of Tazewell county to the county of Woodford;"

"An act for the relief of William M. Bell,"

"An act for the relief of the Shilo Meeting House Tract."

Mr. Worthington moved that the thirteenth section of the bill under consideration be amended by striking out of it the sentence between the word "same," in the fourth line, and the word "none" in the tenth line; and the question being taken thereon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Smith and Worthington—2.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, Willbanks, and Wynne—38.

Mr. Davis moved the previous question, and

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

The question was then put—"Shall the bill, as amended, be ordered to a third reading?" and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davis, Dougherty, Harrison, Henry, Hoard, James, Levison, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Ryan, Stapp, Thompson, Vandeventer, Warren, and Worthington—24.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, Johnson, Killpatrick, Nunnally, Parker, Parrish, Slocumb, Smith, Willbanks, and Wynne—17.

Mr. Buford moved that the Senate adjourn; and the question being taken thereon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Feaman, Harrison, Hoard, Houston, Levison, Matteson, McMurtry, Parker, Ryan, Slocumb, and Stapp—16.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Evans, Fithian, Harris, James, Johnson, Killpatrick, Markley, Minard, Nunnally, Parrish, Ralston, Ruggles, Smith, Warren, Willbanks, Worthington, and Wynne—22.

Mr. Killpatrick moved that the order of business be suspended, and that a preamble and resolution, offered by Mr. Cullom, be taken up for consideration.

Mr. Cavarly moved that the orders of the day be taken up, and the question thereon having precedence, was put and decided in the affirmative.

Engrossed bills of the following titles were severally read a third time and passed:

"An act to extend the jurisdiction of the several counties bordering on the Mississippi and Wabash rivers;"

"An act to legalize the acts of the elders, deacons, and ministers of the Protestant Reformed Dutch Church of Fairview, in Fulton county;"

"An act to provide for taking up, registering, and cancelling of State bonds, and other evidences of State indebtedness;"

"An act to vacate the town plat of Reedfield, in the county of Pike;"

"An act for the relief of Matilda Powers," and

"An act to amend 'An act concerning estrays,' approved February 9, 1835;"

Engrossed bills of the following titles were severally read a third time and passed.

"An act to incorporate the town of Winchester, in Scott county;"

"An act to locate a State road therein named;" (No. 97.)

"An act to locate a State road therein named;" (No. 99.)

"An act to incorporate the Oak Grove Cemetery Association;"

"An act to authorize the levying of a tax for school purposes, in township eleven north, range one east;"

"An act to review and re-locate a State road from Jesse Hammer's to Chillicothe, in Peoria county;"

"An act to amend the charter of the city of Quincy;"

"An act to review and re-locate the State road leading from Princeton to Pawpaw Grove," and

"An act to legalize the military acts of Reese Bayless."

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act concerning State bonds," was read a third time, and,

On motion of Mr. Ralston,

Referred to a select committee.

Ordered, That Messrs. Ralston, Davidson, and James be that committee.

Engrossed bill for "An act to authorize the county commissioners' court of Warren county, to pay out certain bank bills at their current value," was read a third time.

Mr. McMurtry moved to amend said bill by striking out "county" in the third line, and inserting "counties" instead of it, and by inserting after "Warren," the words "Knox and Henderson."

On motion of Mr. Stapp,

Said bill was referred to a select committee.

Ordered, That Messrs. Stapp, McMurtry, and Ralston be that committee.

Engrossed bill for "An act to make judgments a lien from the date of issuing the capias," was read a third time.

Mr. Davis moved that the bill be amended by inserting after the word "purchasers," the words "and subsequent judgment creditors."

Mr. Ralston moved that the bill and amendment be laid on table until the 4th of July next; and the question being taken thereon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Crain, Evans, Feaman, Harris, Henry, Houston, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Vandeventer, and Warren—16.

Those who voted in the negative, are,

Messrs. Cavarly, Cullom, Davis, Fithian, Hoard, James, Johnson, Killpatrick, Leviston, Minard, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Willbanks, and Worthington—18.

Mr. Johnson moved that the bill and amendment be referred to a select committee.

On motion of McMurtry,

Said bill and amendment were referred to the committee on the Penitentiary.

On motion,

The Senate adjourned.

SATURDAY, FEBRUARY 18, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of a bill for "An act to increase the per diem pay of grand and petit jurors, and to allow them mileage," with amendments, in which they ask the concurrence of the Senate.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled, and laid before the Council of Revision, bills of the following titles:

"An act to legalize the survey of the town of Mount Vernon;"

"An act to vacate a State road therein mentioned," and

"An act to change the name of the town of Florence, Ogle county, to that of Oregon.

Mr. Speaker announced a communication from the Governor upon executive business.

On motion of Mr. Markley,

The communication was acted upon with open doors. It was read, and is as follows:

EXECUTIVE DEPARTMENT,
Springfield, Feb. 16, 1843.

I nominate Luther S. Robbins to be notary public and public administrator for the county of Grundy.

THOMAS FORD.

On motion of Mr. McMurtry,

The above nomination was advised and consented to.

Mr. Catlin, from the select committee to which was referred the petition for the relief of Thomas Pulliam, made report; which was read, and,

On motion of Mr. Harris,

Referred, together with the petition, to a select committee.

Ordered, That Messrs. Harris, Catlin, and Cavarly be that committee.

Mr. Fithian, from the select committee to which was referred a bill from the House of Representatives for "An act to create the county of Milton," reported the same back without amendment, and recommended its passage.

Ordered that said bill be read a third time.

On motion of Mr. Fithian,

The order of business was suspended, and said bill, on motion, was read a third time by its title, and

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Crain, Cullom, Davis, Evans, Fithian, Harrison, Hoard, Houston, Johnson, Nunnally, Parker, Parrish, Ruggles, Ryan, Stocumb, Smith, Stapp, Thompson, Vandeventer, Warren, and Worthington—23.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Dougherty, Feaman, Harris, James, Killpatrick, Leviston, Matteson, Minard, Willbanks, and Wynne—12.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Ralston moved a re-consideration of the vote taken on yesterday, on ordering to a third reading a bill from the House of Representatives for "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt."

Mr. Davidson moved a call of the Senate; which proceeded for some time, and was, on motion of Mr. Killpatrick, dispensed with.

The question was then taken on the motion for a re-consideration, and decided in the negative.

Engrossed bill for "An act explanatory of an act entitled 'An act regulating the sale of property on judgments and executions,' approved January 6, 1843," was read a third time, and,

On motion of Mr. Warren,

Referred to a select committee.

Those who voted in the affirmative, upon the motion to refer said bill, are,

Messrs. Barnett, Buford, Cavarly, Crain, Dougherty, Evans, Fithian, Harris, Hoard, Johnson, Leviston, Markley, Matteson, McMurtry, Parker, Parrish, Ryan, Vandeventer, Warren, Willbanks, and Wynne—21.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Davis, Feaman, Harrison, Houston, James, Killpatrick, Nunnally, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, and Worthington—18.

Ordered, That Messrs. Warren, Parrish, and Davidson be that committee.

Engrossed bill for "An act concerning ordinary times," was read a third time and passed.

On motion of Mr. Stapp,

The title of said bill was amended, by striking out the words "concerning ordinary times," and inserting in lieu of them the words "to change the name of the town of Greenfield, in Warren county, to that of Greenbush."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act confirming the survey and location of a State road from Charleston to Peoria," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Engrossed bill for "An act for the relief of John Hodges and William Clapp, and others," was read a third time, and

On the question—"Shall said bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Catlin, Dougherty, Feaman, James, Matteson, Ryan, Stapp, Vandeventer, and Worthington—9.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Cavarly, Cullom, Davidson, Davis, Evans, Fithian, Harris, Harrison, Hoard, Houston, Johnson, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Thompson, Warren, and Willbanks—27.

Senate bill for "An act to stay executions and secure the payment of debts," was read a second time.

Mr. Nunnally moved to lay the bill on the table until the 4th day of July next.

Mr. Parker moved its reference to a select committee of five.

On motion of Mr. Fithian,

The bill was referred to the committee on the Judiciary.

On motion of Mr. Davidson,

The order of business was suspended, and the bill from the House of Representatives for "An act to establish and maintain common schools," was read a first time by its title, and,

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and referred to the committee on School Lands and Education.

House bills of the following titles were severally read a third time and passed:

"An act for the relief of the collector of McLean county;"

"An act applying the bonus of Bond county to the school fund of said county;"

"An act for the relief and benefit of Richland county;"

"An act to authorize the county commissioners to lease certain rooms," and

"An act to revise 'An act for settlers on lands purchased by the State.'"

Ordered, That their titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills.

A bill from the House of Representatives for "An act in relation to the Cumberland road," was read a third time and passed as amended.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act to put the Bank of Illinois into liquidation."

In the passage of which they ask the concurrence of the Senate.

A bill from the House of Representatives for "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the canal debt," was, on motion, read a third time by its title.

Mr. Markley moved the previous question, and

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

Those voting in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davidson, Davis, Dougherty, Fithian, Harrison, Hoard, Killpatrick, Markley, Matteson, McMurtry, Minard, Ruggles, Ryan, Stapp, Thompson, Vandeventer, Warren, and Willbanks—23.

Those voting in the negative, are,

Messrs. Catlin, Crain, Evans, Feaman, Harris, Houston, James, John

son, Leviston, Nunnally, Parker, Parrish, Ralston, Slocumb, Smith, Worthington, and Wynne—17.

On the question—"Shall the bill pass, as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davis, Dougherty, Harrison, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Ruggles, Ryan, Stapp, Thompson, Vandeventer, Warren, and Worthington—22.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davidson, Evans, Feaman, Fithian, Harris, Houston, Johnson, Killpatrick, Nunnally, Parker, Parrish, Ralston, Slocumb, Smith, Willbanks, and Wynne—18.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments of the Senate.

On motion,

The Senate adjourned.

MONDAY, FEBRUARY 20, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed the following resolution, in the passage of which they ask the concurrence of the Senate, viz:

Resolved by the House of Representatives, the Senate concurring herein, That both Houses of the present General Assembly adjourn *sine die* on the first Monday of March next.

The House have concurred with the Senate in the passage of their resolution, calling on the Auditor for information in relation to the domestic finances of the State, &c.; and have also concurred with the Senate in their amendments to a bill for "An act to provide for the completion of the Illinois and Michigan canal, and for the payment of the canal debt;" and have passed a bill for "An act to extend the time for the completion of the Illinois and Rock River Railroad company."

In the passage of which they ask the concurrence of the Senate.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles:

"An act to incorporate the Peoria Water Company;"

"An act to locate certain roads therein named;"

"An act to vacate the town of Rock Island City," and

"An act to change the name of the town of St. Marion, in Ogle county, to that of Buffalo."

On motion of Mr. Warren,

The order of business was suspended, and the resolution contained in the message last received from the House of Representatives, proposing that the two Houses of the General Assembly adjourn *sine die* on the first Monday in March next, was taken up.

Mr. Buford moved that the resolution be laid on the table; and the question being taken thereon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, and Feaman—2.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Evans, Fithian, Harris, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Willbanks, and Worthington—37.

Mr. Ralston moved to amend the resolution, by striking out the words "first Monday in March next," and inserting in lieu of them the words "last Monday in February, instant;" which was not agreed to.

Mr. Smith moved to amend the resolution, by striking out the words "the first Monday," and inserting in lieu of them the words "Thursday, the 2d day."

Mr. Baker moved the previous question; and,

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Smith to the resolution, and decided in the negative, and

On the question—"Will the Senate concur with the House of Representatives in the adoption of the resolution?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Killpatrick presented the petition of sundry citizens of Morgan, Scott, and Pike counties, on the subject of the Northern Cross Railroad; which was, without reading, on his motion, referred to the select committee having in charge bills on the same subject.

Mr. Barnett, from the committee on Counties, to which was referred a bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties in this State,' approved February 26, 1841," reported the same back, with an amendment, which was concurred in, and the bill as amended,

Ordered to be engrossed for a third reading.

Mr. Smith, from the select committee to which was referred a bill from the House of Representatives for "An act to change the times of holding courts in the second judicial circuit, and to include the county of Perry in said judicial circuit," reported the same back, without amendment, and recommended the passage of the bill.

Ordered that said bill be read a third time.

On motion of Mr. Smith,

The order of business was suspended, and the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Markley, from the select committee to which was referred a bill for "An act to remove the seat of government of the State of Illinois to the

city or town of Peoria," reported the same back, with an amendment which was concurred in.

Those who voted in the affirmative, are,
Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davis, Evans, Harris, Harrison, Hoard, Leviston, Markley, Matteson, McMurtty, Minard, Ralston, Ruggles, Smith, Stapp, Thompson, Warren, and Willbanks—24.

Those who voted in the negative, are,
Messrs. Baker, Dougherty, Feenan, Fithian, Henry, Houston, James, Johnson, Killpatrick, Nunnally, Parker, Parrish, Slocumb, Vandeventer, and Worthington—15.

Mr. Baker moved to amend the bill as amended, by adding the following as an additional section, to wit:

"Sec. Whenever an application shall be made to the Governor by three responsible persons, he shall appoint three responsible persons, who shall be styled State auctioneers, and they are authorized and required, upon reasonable notice, to set up the seat of government to public auction, and whenever any person or persons shall bid in the name of any town, village, or city, a sum in their opinion sufficient to build a convenient State House, they shall accept the bid, and upon the payment of the money for that purpose, they shall declare by proclamation the seat of government to be at such place; and they are hereby authorized to sell the State Houses at Peoria, Springfield, or any other place, to the highest bidder for State securities."

Mr. Cavarly moved to lay the proposed amendment on the table; which was agreed to.

Those who voted in the affirmative, are,
Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Fithian, Harris, Harrison, Henry, Hoard, Houston, James, Killpatrick, Leviston, Markley, Matteson, Minard, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, and Willbanks—28.

Those who voted in the negative, are,
Messrs. Baker, Buford, Cullom, Dougherty, Evans, Feaman, Johnson, McMurtty, and Nunnally—9.

Mr. Killpatrick moved to amend the bill as amended, by adding the following as an additional section, to wit:

"Sec. The seat of government shall not be removed from Springfield within ten years, unless provisions are made by the Governor to move the State House with it, without materially injuring said building;" which proposed amendment was,

On motion of Mr. Ralston,

Laid on the table.

Mr. Fithian moved to amend the bill as amended, by adding the following proviso:

"Provided, that out of the moneys subscribed there shall be paid to the county commissioners' court of Sangamon county the sum of fifty thousand dollars, for the use of the citizens of said county who may have paid to the State fifty thousand dollars towards the erection of the State House at Springfield."

On motion of Mr. Davis,

The proposed amendment was laid on the table.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Evans, Harris, Harrison, Henry, Hoard, James, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Smith, Thompson, Warren, and Willbanks—23.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Dougherty, Feaman, Fithian, Houston, Johnson, Killpatrick, McMurtry, Parker, Ruggles, Slocumb, Stapp, Vandeventer, and Worthington—15.

Mr. Catlin moved to amend the bill as amended by striking out the word "Peoria" wherever it occurs in the bill, and inserting in lieu thereof the word "Alton."

Mr. Killpatrick moved the indefinite postponement of the bill and proposed amendments.

Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Davidson, Dougherty, Feaman, Fithian, Harris, Henry, Houston, James, Johnson, Killpatrick, McMurtry, Nunnally, Parker, Ruggles, Slocumb, Vandeventer, and Worthington—19.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davis, Evans, Harrison, Hoard, Leviston, Markley, Matteson, Minard, Parrish, Ralston, Stapp, Thompson, Warren, and Willbanks—19.

The Chair voting in the affirmative, the bill and proposed amendment were indefinitely postponed.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act to permanently locate the county seat of Woodford county."

In the passage of which they ask the concurrence of the Senate.

On motion of Mr. Dougherty,

The committee of the whole was discharged from the further consideration of a bill for "An act to district the State for the purpose of electing Representatives to the Congress of the United States."

On motion of Mr. Dougherty,

The order of business was suspended and said bill was taken up for consideration.

On motion of Mr. Dougherty,

The bill was amended by adding to the counties that compose the second district the counties of Edwards, Wabash, and Massac.

On motion of Mr. Dougherty,

The county of "Clay" was stricken from the counties composing the second district and added to the counties composing the third district.

On motion of Mr. Warren,

The county of "Moultrie" was added to those composing the third district.

Mr. Cavarly moved to amend the bill by striking from the counties that compose the fifth district that of "Jersey," and add it to those composing the first district.

Mr. Dougherty moved to amend the amendment, by adding the remaining counties that compose the fifth district to those that compose the first district.

Mr. Killpatrick moved to lay the amendment and amendment to the amendment on the table.

Mr. Cavarly called for a division of the question.

The vote was then taken on laying the amendment on the table and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Crain, Cullom, Davidson, Dougherty, Evans, Feaman, Fithian, Harrison, Henry, Hoard, Houston, James, Johnson, Killpatrick, Markley, Matteson, Minard, Parrish, Ruggles, Smith, Stapp, Thompson, Vandeventer, Warren, and Worthington—28.

Those voting in the negative, are,

Messrs. Cavarly, Davis, Harris, McMurtry, Nunnally, Ralston, Slocumb, and Willbanks—8.

Mr. Markley moved to amend the bill by striking from the counties that compose the seventh district the counties of "Peoria, Fulton, and Schuyler," and adding them to the counties composing the fifth district; and also, by striking from the counties that compose the fifth district the counties of "Morgan and Scott," and adding them to the counties composing the seventh district."

Mr. Cavarly moved to refer the bill and proposed amendment to a select committee of seven, with the following instructions:

"Amend the bill by striking out all after the enacting clause, and report an amendment providing for the election of seven members to Congress by general ticket;" which was not agreed to, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Davidson, Davis, Feaman, Harris, James, Markley, McMurtry, Parrish, Ralston, Slocumb, Vandeventer, and Warren—14.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Crain, Cullom, Dougherty, Evans, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, Matteson, Nunnally, Parker, Ruggles, Ryan, Smith, Stapp, Thompson, Willbanks, and Worthington—24.

Mr. Killpatrick moved to lay the proposed amendment on the table.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Minard,

Engrossed bills of the following titles were severally read a third time by their titles and passed:

"An act to locate a State road therein named;"

"An act for the location of an academy in the county of Will and for other purposes."

Engrossed bill for "An act further to amend the law relating to practice in courts," was read a third time and passed.

Ordered, That the titles of said bills be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Engrossed bill for "An act to improve the navigation of Apple river," was read a third time and passed.

On motion of Mr. Stapp,

The title of said bill was amended by striking out all after the word "to," and adding the words, "authorize the county commissioners' courts to erect fire proof offices for the preservation of county records."

Ordered, That the title be as amended, and the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Bills from the House of Representatives of the following titles were severally read a third time and passed:

"An act to enable the inhabitants of incorporated townships to dissolve their incorporations;"

"An act to legalize certain proceedings of the trustees of schools for township thirty-three north, range three east, and for other purposes," and

"An act to prohibit the reception of depreciated paper in payment of public dues."

On motion of Mr. Smith,

A bill from the House of Representatives for "An act to incorporate the Monticello Female Seminary," was read a third time by its title and passed.

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives of their passage.

On motion of Mr. McMurtry,

A bill from the House of Representatives, as amended, for "An act to locate a State road from Josephine to Knoxville," was read a third time by its title and passed.

A like bill for "An act to establish the name of William Carroll Mitchell," was read a third time as amended, passed, and the title thereof amended,

On motion of Mr. Cavarly,

By adding "and others."

Ordered, That the title of the first of said bills be as aforesaid, and the last, as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments of the Senate.

A like bill for "An act in relation to the bridge across Shoal creek, in Clinton county," was read a third time.

Mr. Crain moved to amend the first section of the bill by adding thereto the following:

Provided, however, That if the county of Clinton shall keep in repair the present bridge, so as afford at all times a safe and good passage for the travelling community, then and in that case this act shall not take effect until nine months from and after its passage," which was,

On motion of Mr. Evans,

Laid on the table.

Mr. Crain moved that the bill be amended by adding the following:

"Provided, however, that on account of the inability of the county of Clinton to build a bridge at this time, without imposing on her citizens onerous taxes, and if she shall keep in repair for twelve months the bridge now across the stream so as to afford a safe and good passage to travellers and others, then and in that case this act shall not take effect until six months after its passage."

Mr. Slocumb moved that the amendment be laid on the table, and the question being taken thereon,

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Davidson, Davis, Evans, Fithian, Harris, Henry, Hoard, Houston, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Parker, Parrish, Slocumb, Stapp, Thompson, Willbanks, and Wynne—23.

Those who voted in the negative, are,

Messrs. Baker, Crain, Feaman, Harrison, Johnson, Ralston, Ruggles, Smith, Vandeventer, Warren, and Worthington—11.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the adoption of a preamble and resolution recommending an increase of the pension of Hezekiah West.

They have also concurred with the Senate in the passage of bills of the following titles:

"An act to enable the collector of Monroe county to collect the delinquent taxes of 1839," and

"An act for the removal of the county seat of Henry county."

A bill from the House of Representatives for "An act to repeal an act entitled 'An act to regulate foreign insurance company agencies established in the State of Illinois, and for other purposes,'" was read a third time, as amended, and

On the question—"Shall the bill pass?"

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Henry, Hoard, Johnson, Killpatrick, Matteson, Minard, Stapp, and Worthington—9.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Davis, Evans, Feaman, Fithian, Harris, Harrison, Houston, James, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Thompson, Vandeventer, Warren, Willbanks, and Wynne—28.

On motion,

A like bill for "An act to incorporate the city of Metropolis, in Johnson county," was read a third time by its title and passed.

Ordered, that the title be as aforesaid.

On motion of Mr. Cavalry,

A like bill for "An act to regulate weights and measures," was read a third time by its title, and

On the question—"Shall the bill pass?"

It was decided in the negative as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Davis, Harris, Harrison, Hoard, Johnson, Leviston, Matteson, Parrish, Ruggles, Thompson, and Worthington—15.

Those who voted in the negative, are,

Messrs. Davidson, Evans, Feaman, Fithian, Henry, Houston, James, Killpatrick, Markley, McMurtry, Minard, Nunnally, Parker, Ralston, Slocumb, Smith, Stapp, Vandeventer, Warren, and Wynne—20.

A like bill for "An act to amend an act entitled 'An act to incorporate the Union Agricultural Society,' " was read a third time, and

On the question—"Shall the bill pass?"

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Davidson, Davis, Harrison, Henry, Hoard, Johnson, Matteson, Minard, Ruggles, Slocumb, Smith, Stapp, Thompson, Willbanks, and Worthington—18.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Evans, Feaman, Fithian, Harris, Houston, James, Killpatrick, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Vandeventer, Warren, and Wynne—19.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a written communication.

A bill from the House of Representatives for "An act to exempt certain articles from execution," was read a third time as amended, and

On the question—"Shall the bill pass?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Evans, Feaman, Fithian, Harris, Henry, Killpatrick, Leviston, Markley, Nunnally, Parker, Smith, Thompson, Warren, Willbanks, and Wynne—20.

Those who voted in the negative, are,

Messrs. Davidson, Davis, Harrison, Hoard, Houston, James, Johnson, Matteson, McMurtry, Minard, Parrish, Ralston, Ruggles, Slocumb, Stapp, Vandeventer, and Worthington—17.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill and ask their concurrence in the amendments of the Senate.

Senate bill for "An act to increase the *per diem* pay of grand and petit jurors, and to allow them mileage," coming up for consideration, as amended by the House of Representatives,

The question was taken on concurring with the House in its amendments, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Cullom, Davidson, Dougherty, Feaman, Fithian, Houston, Johnson, Killpatrick, McMurtry, Parrish, Ralston, Slocumb, Thompson, and Vandeventer—18.

Those who voted in the negative, are,

Messrs. Barnett, Crain, Davis, Evans, Harris, Harrison, Henry, Hoard, James, Leviston, Markley, Matteson, Minard, Nunnally, Parker, Ruggles, Smith, Stapp, Warren, Willbanks, Worthington, and Wynne—22.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles:

"An act to incorporate the Peoria Water Company;"

"An act to vacate the town of Rock Island City;"

"An act to change the name of the town of St. Marion, in Ogle county, to that of Buffalo;"

"An act to locate certain roads therein named."

Senate bill for "An act to fix the tenure of certain officers," as amended by the House of Representatives, coming up for consideration, the amendment of the House was concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Senate bill for "An act to confine justices of the peace to their respective districts," as amended by the House of Representatives, also coming up for consideration, the same was read, as amended, and,

On motion of Mr. Ralston,

Referred to the committee on the Judiciary.

House bill for "An act to locate a State road therein named," was read a first time by its title,

On motion of Mr. Minard,

Ordered to a second reading.

The rule having been dispensed with, on his further motion, the said bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Minard, Ruggles, and Hoard be that committee.

House bill for "An act to authorize the building of a bridge over the Pekatonica river, in Stephenson county;" was read a first time by its title, and,

On motion of Mr. Harrison,

Ordered to a second reading.

The rule having been dispensed with, on his further motion, the bill was read a second time by its title, and referred to the committee on Internal Navigation.

House bill for "An act to amend an act entitled 'An act prescribing the mode of summoning grand and petit jurors and defining their qualifications and duties,'" was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Parker,

Referred to the committee on the Judiciary.

Mr. Speaker laid before the Senate a report of the Auditor of Public Accounts, made in compliance with a resolution of the two Houses, on the subject of the finances of the State, &c.; which report was read.

Mr. Matteson moved that it be laid on the table and two thousand copies thereof printed; which was not agreed to.

On motion of Mr. Ralston,

The report was referred to the committee on Finance.

On motion of Mr. Davidson,

The order of business was suspended, and a bill from the House of Representatives for "An act to provide for the receipt of the distributive share of this State of the proceeds of the sales of the public lands," was taken up and read a second time by its title.

Mr. Ralston moved that the consideration of the bill be indefinitely postponed.

Mr. Baker moved the previous question; and

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

The question was then taken on the indefinite postponement of the bill, and decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Feaman, Harris, James, Leviston, Markley, Matteson, Minard, Ralston, Warren, and Wynne—15.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Dougherty, Evans, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, McMurtry, Nunnally, Parker, Parrish, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandever, Willbanks, and Worthington—25.

On the question—"Shall the bill be read a third time?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Dougherty, Evans, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, McMurtry, Nunnally, Parker, Parrish, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandever, Willbanks, and Worthington—25.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Feaman, Harris, James, Leviston, Markley, Matteson, Minard, Ralston, Warren, and Wynne—15.

On motion of Mr. Davidson,

The rule was dispensed with, and said bill read a third time by its title, and

On the question—"Shall the bill pass?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Dougherty, Evans, Fithian, Harrison, Henry, Hoard, Houston, Johnson, Killpatrick, McMurtry, Nunnally, Parker, Parrish, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandever, Willbanks, and Worthington—25.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Feaman, Harris, James, Leviston, Markley, Matteson, Minard, Ralston, Warren, and Wynne—15.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act for the settlement of the accounts of James W. Barrett."

In the passage of which they ask the concurrence of the Senate.

Mr. Speaker announced a communication from the Governor on executive business; which was,

On motion of Mr. Davidson,

Acted upon with open doors.

The communication was read, and is as follows:

EXECUTIVE DEPARTMENT,

Springfield, Feb. 20, 1843.

I nominate John McDonald, to be public administrator of the county of Calhoun.

THOMAS FORD.

Mr. Vandeventer moved that the Senate do now advise and consent to said nomination; which was agreed to.

On motion of Mr. Houston,

The order of business was suspended, and a bill from the House of Representatives for "An act for the removal of the county seat of Crawford county," was taken up, read a first time by its title, and,

On motion of Mr. Houston,

Ordered to a second reading.

On motion of Mr. Houston,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Houston, Slocumb, and Davidson be that committee.

On motion of Mr. Warren,

The order of business was further suspended to enable him to offer for adoption the following preamble and resolution:

Whereas, we have this day resolved to adjourn on the 6th *proximo*, and it is absolutely necessary that as much time as possible should be given to our Legislative duties; therefore,

Resolved, That hereafter the Senate will meet each day at nine o'clock, A. M., until the close of the present session.

On motion of Mr. Warren,

The rule was dispensed with, and said resolution immediately considered and adopted.

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 21, 1843.

Senate met pursuant to adjournment.

Mr. Wynne presented the petition of sundry citizens of Menard county, praying the establishment of the boundary between that and Sangamon county; the reading of which was,

On motion of Mr. Wynne,

Dispensed with, and referred to the committee on Counties.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Smith, from the committee on the Penitentiary, to which was referred the petition of sundry citizens of the State of Illinois, together with the proceedings of a public meeting held in the city of Alton, &c., made a report; which was read, and,

On motion of Mr. McMurtry,

Laid on the table.

Mr. Smith, from the committee on the Penitentiary, to which was referred a bill for "An act in relation to the Penitentiary," reported the same back with an amendment; which was read and concurred in.

Ordered that said bill, as amended, be engrossed for a third reading.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act concerning evidence in certain cases," reported the same back, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

Mr. Cavarly, from the same committee, to which was referred a bill from the House of Representatives for "An act amending the several acts relating to attachments," reported the same back, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have concurred with them in the passage of bills of the following titles:

"An act to authorize the county commissioners of Wayne county to transfer a certain lot of ground therein named;"

"An act to authorize Charles G. Eldridge to keep a ferry across the Mississippi river;"

"An act concerning the sixteenth section, township one south, range five west, lying in the counties of Washington and Clinton;"

"An act to enable Smith Turner, of Mason county, to establish a ferry across the Sangamon river;"

"An act providing for the making of an index to the records of Cook county, and for other purposes;"

"An act in relation to the town of Manchester;"

"An act to open a new street in the city of Chicago, and for other purposes;"

"An act to correct a mistake in the platting and recording of the plat of Peru;"

"An act to amend 'An act to establish a State road from Jemison's ferry, in Pope county, to Cape Girardeau,' in force March 2, 1839."

"An act to incorporate the Oak Grove Cemetery Association;"

"An act to authorize the Governor to convey certain lots in the town of Shawneetown to E. J. Durbin;"

"An act to locate a State road therein named;"

"An act to amend an act entitled 'An act providing for the binding of the laws and journals,' approved January 31, 1840;"

"An act in relation to public roads in the county of Washington;"

"An act to vacate the town plat of Reedfield, in the county of Pike;"

"An act to review and re-locate a State road from Jesse Hammer's to Chillicothe, in Peoria county;"

"An act to legalize the military acts of Reese Bayless;"

"An act to make judgments a lien from the date of issuing of the capias;"

"An act to establish a State road therein named;"

"An act to review and re-locate a State road leading from Princeton to Pawpaw Grove;"

"An act to locate a State road therein named;"

"An act for the location of an academy in the county of Will, and for other purposes;"

"An act to authorize county commissioners' courts to erect fire proof offices for the preservation of county records;"

"An act to change the name of the town of Greenfield to that of Greenbush;"

"An act confirming the survey and location of a State road from Charleston to Peoria;"

"An act to authorize the county commissioners of Rock Island county to build a free bridge across Rock river;"

"An act to locate a State road therein named," and

"An act to authorize the county commissioners of the county of Beau-reau to borrow money."

Mr. Baker, from the committee on Incorporations, to which was referred a certain petition, reported a bill for "An act to repeal the charter of the city of Springfield;" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Baker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Barnett, from the committee on Counties, to which was referred a petition and remonstrance of sundry citizens of Kane county, relative to the removal of the seat of justice of said county, reported the same back and asked to be discharged from the further consideration of the same; which was granted.

On motion of Mr. Minard,

Said petition and remonstrance were referred to a select committee.

Ordered, That Messrs. Minard, Hoard, and Ruggles be that committee.

Mr. Barnett, from the committee on Counties, to which was referred a certain petition, reported a bill for "An act to form the county of Pulaski," which was read the first time, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Smith, from the committee on the Penitentiary, to which was referred a bill for "An act to make judgments a lien from the date of the issuing of the capias," reported the same back with an amendment.

On motion of Mr. Warren,

The bill and amendment were laid on the table until the 4th day of July next.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Crain, Dougherty, Evans, Feaman, Harris, Henry, Houston, Killpatrick, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Ralston, Ruggles, Vandever, Warren, Waters, and Wynne—23.

Those who voted in the negative, are,

Messrs. Cavarly, Cullom, Davidson, Davis, Fithian, Hoard, James, Johnson, Leviston, Minard, Slocumb, Smith, Stapp, Thompson, Willbanks, and Worthington—16.

Mr. Dougherty, from the committee on Internal Improvements, to which referred a bill for "An act to provide for the letting the Northern Cross Railroad line, and other railroad lines in this State, to companies," reported the same back with an amendment.

Mr. Dougherty moved that the bill and proposed amendment be laid on the table and printed for the use of the Senate.

Mr. Stapp called for a division of the question, so as first to take the vote on laying on the table.

The question was then taken on laying on the table, and decided in the negative.

The question was the taken on laying on the table and printing, and decided in the affirmative, by yeas and nays.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Cavarly, Crain, Davidson, Davis, Dougherty, Evans, Feaman, Harrison, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Matteson, Minard, Parker, Ruggles, Slocumb, Warren, Waters, Worthington and Wynne—25.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cullom, Fithian, Harris, Henry, Markley, McMurtry, Nunnally, Parrish, Ralston, Smith, Stapp, Thompson, Vandever, and Willbanks—16.

Mr. Parker, from the committee on Public Roads, to which was referred a bill for "An act in relation to the streets running through out lots in the town of Vandalia," reported the same back, with an amendment; which was concurred in.

Ordered that the bill as amended be engrossed for a third reading.

Mr. Dougherty, from the committee on Incorporations, to which was referred a bill for "An to incorporate the Galena Manufacturing Com-

pany," reported the same back, with an amendment; which amendment was,

On motion of Mr. Harrison,

Laid on the table.

Ordered that said bill be engrossed for a third reading.

Mr. Dougherty, from the same committee, to which was referred a bill for "An act to regulate the time of redemption of real estate sold for taxes by town or city incorporations," reported the same back, with an amendment; which was concurred in.

Ordered that said bill, as amended, be engrossed for a third reading.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Parrish,

The order of business was suspended, and on his further motion, a bill from the House of Representatives for "An act to change the times of holding courts in the third judicial circuit," with the amendment of the Senate to the same, was then taken up, and on his further motion, the Senate receded from said amendment.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Fithian,

The vote taken on yesterday, by which the Senate refused to pass a bill from the House of Representatives for "An act to amend an act entitled 'An act to incorporate the Union Agricultural Society,'" was reconsidered, and on his further motion, the bill was referred to a select committee.

Ordered, That Messrs. Fithian, Hoard, and Vandeventer be that committee.

On motion of Mr. Warren,

The vote taken on yesterday, by which the Senate refused to pass a like bill for "An act to regulate weights and measures," was re-considered.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

On motion of Mr. Worthington,

The bill from the House of Representatives for "An act to refund to Daniel B. Bush certain moneys wrongfully paid into the treasury," was taken from the table, and

Ordered to a third reading.

On motion of Mr. Worthington,

The bill was read a third time by its title and passed.

Ordered, That the titles of the two last named bills be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

On motion of Mr. Willbanks,

A like bill for "An act to put the Bank of Illinois into liquidation," was taken up, read a first time, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule was dispensed with, and the said bill read a second time by its title.

Mr. Stapp moved that the bill be amended by striking out all after the enacting clause, and inserting the following:

"SEC. 1. That the Governor shall be authorized to negotiate a sale of the stock held by the State in the "Bank of Illinois," to said bank, upon the following terms; that is to say, that the bank shall surrender to the Governor, for the use of the State, as an equivalent for said stock, an amount of the liabilities of the State, equal on their face to the sum of one million of dollars; one-half of said amount to be surrendered as aforesaid within five days after the passage of this act, and the residue, with six per cent. interest thereon, from the date of sale, within twelve months after the passage hereof.

"SEC. 2. If the Governor shall sell the stock of the State as aforesaid, he shall, upon the receipt of the first half of the consideration therefor, as aforesaid, assign to the bank for the use of the private stockholders therein, one-half of the stock of the State in said institution, and an undivided half of all the interest and right of the State in the choses in action, moneys, and property of the bank, both real and personal; but the residue of said stock shall be subject to a lien in favor of the State, until the residue of the consideration therefor shall be fully paid and discharged; and if the bank shall pay the residue of said consideration, at the time appointed in the preceding section, then the said residue of the State stock, and all the right and interest of the State in the choses in action moneys, and property of the bank, both real and personal, shall be assigned thereto by the Governor as and for the use aforesaid; but if the bank shall fail to make payment as aforesaid, then the said residue of stock shall revert to, and be held by the State in the same right in which it is now held.

"SEC. 3. Upon the receipt of the first half of the consideration for the stock of the State, as aforesaid, the directory of the bank shall be reduced to eight in number, three of whom shall be appointed by the Governor and Senate, whose tenures of office shall be the same as now provided by law and five by the private stockholders of the bank, according to usage in that respect; *Provided*, that the directors on the part of the State shall be forever withdrawn from the bank upon full payment being made by the bank, for the stock of the State as aforesaid.

"SEC. 4. If the bank shall accept of the following provisions of this act under its corporate seal, within thirty days after the passage hereof, to be filed in the office of Secretary of State, then, and in that case it shall go into liquidation and be finally wound up according to the rules and regulations thereby established.

"SEC. 5. The Governor shall nominate, and by and with the advice and consent of the Senate, appoint a commissioner, to be styled the "commissioner of the Bank of Illinois;" who shall be commissioned by the Governor, and under his direction, shall enter into bond with approved security, in the penal sum of one hundred thousand dollars to the Governor, for the use of all persons interested, or to be interested, conditioned for the faithful performance of the duties of his office according to law, and who shall also before entering upon the duties of his said office, be sworn faithfully and truly to perform the duties thereof; which oath shall be in writing and be

filed in the office of Secretary of State. Said commissioner shall receive such compensation for services actually performed, not exceeding three dollars per day, as may be allowed by the Governor, and shall hold his office for two years, unless sooner removed by the Governor for good cause, to be reported to the next General Assembly; and in case of such removal, the Governor shall have power to fill the vacancy, by an appointment to endure until the next succeeding session of the General Assembly.

SEC. 6. The "Bank of Illinois" shall go into liquidation within thirty days after the passage of this act, and at the end of that time shall pay out all its specie on hand, except fifteen thousand dollars. The said payments of specie shall be made at the counter of the principal bank, at Shawneetown *pro rata*, that is, proportionably on all its liabilities and indebtedness, whether of the principal bank or branches, except upon its indebtedness to stockholders, as the same may be presented for payment; and shall annually thereafter pay out the specie found on hand, except the fifteen thousand dollars reserved as aforesaid, in manner aforesaid, including like payments upon the certificates of balances hereinafter provided for, except to stockholders as aforesaid; and the said bank shall make and deliver certificates, signed by the president and cashier, to each creditor for the residue of his debt, after deducting the payment in specie from the whole amount of such debt; which certificate shall be registered by the commissioner aforesaid in a book kept by him for that purpose; said certificates shall be issued for such sums, not less than ten dollars, as will suit the convenience of the creditors of the bank, and shall be received in payment of any debt due, or to become due to the bank, and in payment for any real estate purchased, or to be purchased of the bank, and in redemption of any lands sold, or to be sold by the bank on execution; but the bank shall not directly or indirectly, purchase any of the certificates issued under the provisions of this act.

SEC. 7. The said bank shall not in future discount any note, lend any money, buy or sell any bill of exchange, issue any paper for circulation, or receive any deposits, or do any other act usually done by banks, but shall confine all its operations to winding up its affairs, collecting and securing its debts, paying the debts of the bank, selling its real and personal estate, issuing the certificates for balances provided for in the fourth section of this act, and to the renewing the notes of its debtors from time to time, upon the payment of one-fifth part each time, and to suing and being sued in relation to all its dealings; for which purposes, and for no others whatever, the charter of said bank is continued for the term of four years from the fourth day of March, A. D. 1843; *Provided*, that the charter of the same shall be and is hereby repealed, at and upon the expiration of the said term of four years from the fourth day of March, as aforesaid.

SEC. 8. The aforesaid creditors of the bank shall, before they shall be entitled to receive the certificates aforesaid, deliver up to the bank all notes and other evidences of debt held by them, and receipt for all judgments and other demands in favor of such creditors against the said bank.

SEC. 9. The bank commissioner aforesaid shall superintend the proceedings of said bank, and shall exercise due vigilance over the proceedings of the same, and for that purpose he shall have free access to the books, papers, vouchers, vaults, and cash of said bank, and shall have power, in prosecuting his enquiries, to administer an oath to the president, di-

rectors, cashiers, tellers, clerks, and all other persons, and compel them or either of them to testify in relation to the said bank, or in relation to any matter or thing touching the proceedings of its officers, effecting the interest of the State, the creditors of the bank, or of the stockholders; and upon the refusal of any of them to be sworn or testify, he shall have power to issue his warrant to any sheriff, and commit such president, cashier, clerk, teller, or other person to the common jail of the county, until he or they shall consent to be sworn or testify, as the case may be, and if the said commissioner shall at any time discover that any dishonest practices are countenanced by said bank, or any of its officers, in the management of its business, or that it is about to violate any provision of law, then the said commissioner shall immediately certify the fact to some justice of the Supreme Court, whose duty it shall thereupon be to issue an injunction against said bank, which shall be executed as in other cases, and made returnable to the circuit court of Gallatin county, sitting as a court of chancery, and shall be proceeded in as in other cases in chancery, except that the said circuit court of Gallatin county, on the chancery side thereof, shall always be and remain open to hear causes arising under this act. The injunction to be issued shall absolutely restrain the said bank, and all officers and persons connected with it, from doing any act whatever in relation to the matter enjoined until the further order of the said court. The judge who issued the injunction shall appoint a day for the hearing of the cause, not exceeding ten days after the date of the writ, and he or any other judge may hold the court for that purpose. No depositions shall be required to be taken, but witnesses may be sworn, and their evidence heard in open court, and upon a hearing of the cause, the judge shall have power to alter, modify, or dissolve the injunction, or make it perpetual, and if it should manifestly appear that the the creditors or stockholders will be defrauded, then the said court shall have power to decree a forfeiture of the charter of the said bank.

Sec. 10. If the said bank shall forfeit its charter as aforesaid, it shall not thereby forfeit any of its personal effects; its lands shall not revert, nor shall it be released from any liability; nor shall any person be released from liability to the bank, nor shall any security for the payment of money, either to or from the bank be in any wise impaired or invalidated, but the said court or judge shall appoint three honest and capable men to act as the receivers of said bank, who shall execute bonds, with approved security, conditioned for the faithful, true and diligent performance of the duties of their appointment, and who shall take and subscribe the following oath: "I do solemnly swear (or affirm) that I will faithfully, truly and diligently perform the duties of receiver of the Bank of Illinois;" which bonds and oaths shall be filed in the office of the Auditor of Public Accounts. Said receivers shall have the power and perform the duties of receivers as in other cases, and shall proceed in the management of the affairs of said bank, in collecting and paying its debts, in selling its real estate and other property, according to such rules and regulations not inconsistent with law, as shall be made by such court or judge in that behalf; except that the specie shall be paid out *pro rata* to creditors; and in collecting the debts due the bank, the debtor shall have the right to renew the evidence of his indebtedness, with security, upon the payment of one-fifth part of his debt every seven months. The said receivers shall not sell any real or

personal property of the bank for less than two-thirds of its appraised value, to be ascertained by the appraisal of three house-holders, or a majority of them, on oath, to be appointed by the judge of the circuit court of the county where the property may be situated. All payments to be made by the receivers shall be made *pro rata* amongst the creditors, who, upon giving up their demands to the receivers, shall receive a certificate for the residue of their claims; which certificate shall be received as is provided in the fourth section of this act.

"Sec. 11. The said bank in collecting its debts shall not collect more than one-fifth part of the debt at any one time of any debtor who will pay the said fifth part, and all interest, whether the debt exist by judgment or otherwise, and renew his note or other liability, with good security, to be paid in seven months.

"Sec. 12. The real estate of said bank shall be appraised by the house-holders or the majority of them on oath, to be appointed by the judge of the circuit court of the county where the real estate may be situated. The real estate, when so appraised, shall be subject to sale, and shall be sold whenever thereafter the appraised value shall be offered for the same. The real estate of the said bank shall not be sold on execution for less than two-thirds of its appraised value, to be ascertained as aforesaid. No debtor of the bank shall be garrisheed by any holder of the certificates authorized to be issued to creditors under the provisions of this act.

"Sec. 13. The said bank shall be required to abolish all its branches, and the notes issued at said branches shall be payable at the principal bank.

"Sec. 14. If the bank shall fail to make full payment for the stock of the State, and any part of the same shall revert to the State, as herein provided for, it shall be the duty of said commissioner to see that the State, the holder of so much stock, shall receive its *pro rata* share of dividends and profits of the bank, if any there shall be, upon the final settlement of its affairs.

"Sec. 15. It shall be the duty of the Governor, upon the receipt of any of the liabilities of the State, under the provisions of this act, to cause the same to be registered by their numbers, amounts, and dates, in the office of the Secretary of State, and shall then produce the same to be destroyed by him in the presence of the General Assembly, if the same be in session, and if the General Assembly be not in session, to cause the same to be destroyed, in like manner, in the presence of the Auditor and Treasurer, and make report of his actings and doings in the premises to the next General Assembly.

"Sec. 16. The certificates to be issued under the provisions of this act shall be in the following form: 'This certificate for _____ dollars and _____ cents, will at all times be received by the Bank of Illinois, in payment of any debt due the bank, and for any property which the bank may have for sale, and in redemption of any lands sold or to be sold on execution by the bank, and will also entitle the bearer to his proportion of all dividends which may be made to the creditors of the bank.

Cashier.

President."

Mr. Ralston moved that the amendment proposed by Mr. Stapp be laid on the table, and the question being taken thereon,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Evans, Feaman, Harris, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Thompson, Vandeventer, Warren, and Willbanks—23.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Ruggles, Slocumb, Smith, Stapp, Waters, and Worthington—15.

Mr. Hoard moved that the bill be referred to the committee on Incorporations, and the question being taken thereon,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Evans, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Johnson, Killpatrick, Leviston, Matteson, McMurtry, Parker, Parrish, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Waters, and Worthington—26.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Houston, James, Markley, Minard, Nunnally, Ralston, Warren, Willbanks, and Wynne—13.

A message from the House of Representatives, by Mr. Ewing, the Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have refused to concur with the Senate in its amendment to a bill of the House for an act to change the times of holding courts in the third judicial circuit."

The House of Representatives have adopted the accompanying preamble and resolution, empowering the Governor to procure the possession of certain engraved plates. In which they ask the concurrence of the Senate.

They have also passed bills of the following titles:

"An act to appoint a board of auditors to settle the accounts of R. I. Barret, late Fund Commissioner."

"An act amendatory of 'An act concerning the public revenue.'"

In the passage of which they ask the concurrence of the Senate.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval bills of the following titles:

"An act to legalize the survey of the town of Mount Vernon;"

"An act to vacate a State road therein named;"

"An act to fix the tenure of certain officers;"

"An act to change the name of the town of Florence, Ogle county, that of Oregon;"

"An act to enable the collector of Monroe county to collect the delinquent taxes of 1839;"

"An act for the removal of county seat of Henry county."

A message from the Governor, by Mr. Trumbull, Secretary of State.

Mr. Speaker: I am directed by the Governor to lay before the Senate communication in writing.

Engrossed bill for "An act to amend an act entitled 'An act to apportion the representation of the several counties in this State,' approved February 26, 1841," was read a third time and passed.

On motion of Mr. Evans,

The title of said bill was amended by striking it out and adding in lieu thereof, the following:

"An act to authorize Alexander Johnson to build a mill-dam across the Little Wabash river."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A bill from the House of Representatives for "An act supplement to 'An act concerning estrays,' in force February 9, 1835," was read a first time, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said bill read a second time by its title, and

On motion of Mr. Crain,

Referred to a select committee of five.

Ordered, That Messrs. Crain, Evans, Johnson, McMurtry, and James be that committee.

A bill for "An act for the better security of State, county, and township funds," was read a first time by its title, on motion, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Fithian, Cavarly, and Ralston be that committee.

A bill for "An act authorizing a change in a State road in Morgan county," was read, and

Ordered to a second reading.

On motion of Mr. Henry,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Henry,

The rule was further dispensed with, and said bill read a third time by its title and passed.

A bill for "An act to amend the charter of the city of Springfield," was read, and

Ordered to a second reading.

On motion of Mr. Heard,

The rule was dispensed with, and the bill was read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Baker,

The rule was dispensed with and said bill was read a third time by its title and passed.

Ordered, That the titles of said bills be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

A bill for "An act to define the bounds of Boone county," was read, and
Ordered to a second reading.

On motion of Mr. Minard,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Ruggles,

Referred to a select committee.

Ordered, That Messrs. Ruggles, Minard, and Matteson be that committee.

A bill for "An act changing the name of the town of Harrisburg, in Whiteside county," was read, and

Ordered to a second reading,

On motion of Mr. Buford,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Buford,

The rule was further dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A bill for "An act to authorize Calvin Boyd and James Shepherd to collect certain taxes," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Parker, Vandeventer, and Baker be that committee.

A bill for "An act to attach part of the county of La Salle to the county of Marshall," was read, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Hoard, Ryan, and Thompson be that committee.

A bill for "An act to authorize the canal commissioners to pay the back per centage on section 187," was read, and

Ordered to a second reading.

On motion of Mr. Smith,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Canal and Canal Lands.

A bill for "An act to change the name of Portland, in Cook county, to the name of Blue Island," was read, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

A bill for "An act to regulate the fees of the clerks of circuit courts in cases of naturalization of foreigners," was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, and said bill was read a second time by its title, and

Ordered to a third reading,

A bill for "An act for the relief of Henry B. Cone and James W. Noble," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Ruggles,

Referred to a select committee.

Ordered, That Messrs. Ruggles, Buford, and Minard be that committee.

A bill for "An act to authorize John T. Davis, and his associates, to build a mill-dam on Saline creek, in Williamson county," was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Parrish,

The rule was further dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A bill for "An act to confirm the acts of John J. McGraw, justice of the peace for DeWitt county," was read, and

Ordered to a second reading.

On motion of Mr. Barnett,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

A bill for "An act to amend the act entitled 'An act concerning a town plat therein named,' approved February 17, 1841," was read, and

Ordered to a second reading.

On motion of Mr. Smith,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Smith,

The rule was dispensed with, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A bill for "An act to provide for the permanent location of the county seat of Winniebag county," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Counties.

A bill for "An act defining the boundaries of McHenry county," was read, and

Ordered to a second reading.

On motion of Mr. Minard,

The rule was dispensed with, and said bill was read a second time by its title, and

Ordered to a third reading,

A bill for "An act for the relief of McHenry county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Minard,

The rule of the Senate was dispensed with, and said bill was read a second and third times by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act granting to the city of Quincy right of way upon that portion of the Northern Cross Railroad within its limits," was read a first time, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ralston, Vandeventer, and Thompson be that committee.

A bill for "An act to enable the inhabitants of school townships in Hancock county, to purchase the school lands therein, and for other purposes," was read a first time, and

Ordered to a second reading.

On motion of Mr. Davis,

The rule of the Senate was dispensed with, and the bill was read a second time by its title and referred to the committee on School Lands and Education.

A bill for "An act in relation to the county seat of Jackson county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Parrish,

The rule of the Senate was further dispensed with, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that Secretary inform the House of Representatives thereof.

The memorial to the Congress of the United States, relative to the improvement of the navigation of the Mississippi river, &c., coming up for consideration, the question was taken on concurring with the House of Representatives in their amendment to said memorial, and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Speaker announced three communications from the Governor upon executive business.

On motion of Mr. Davidson,

Said communications were acted upon with open doors, and were read, as follows:

EXECUTIVE DEPARTMENT,

Springfield, Feb. 21, 1843.

I nominate William B. Doolittle, to be notary public in and for the town of Pekin, in the county of Tazewell, in pursuance of the annexed petition.

THOMAS FORD.

On motion of Mr. Cullom,

Said nomination was advised and consented to by the Senate.

EXECUTIVE DEPARTMENT,

Springfield, Feb. 20, 1843.

I nominate Bryan Shawnessey to be notary public for the county of Alexander.

THOMAS FORD.

EXECUTIVE DEPARTMENT,

Springfield, February 21, 1843.

I nominate Lansing B. Nichols to be public administrator for the county of Lake.

THOMAS FORD.

On motion, the foregoing nominations were advised and consented to by the Senate.

On motion of Mr. Warren,

The order of business was suspended and a resolution from the House of Representatives, empowering the Governor to procure the possession of certain engraved plates, was taken up and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Davidson,

The vote was re-considered by which the Senate refused to pass a bill from the House of Representatives for "An act to repeal an act entitled 'An act to regulate foreign insurance company agencies established in the State of Illinois, and for other purposes.'"

On the question—"Shall said bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Cullom, Davidson, Feaman, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Matteson, Minard, Ruggles, Slocumb, Smith, Stapp, Thompson, Warren, Waters, and Worthington—22.

Those voting in the negative, are,

Messrs. Barnett, Catlin, Crain, Davis, Evans, Harris, Houston, James, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Vandeventer, and Willbanks—17.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Killpatrick moved that the Senate adjourn to Thursday morning at 9 o'clock, A. M.; and the question being taken thereon,

It was decided in the negative.

Those voting in the affirmative, are,

Messrs. Davidson, Davis, Feaman, Harrison, Henry, Houston, Killpatrick, Leviston, Minard, Parrish, Stapp, Thompson, and Waters—13.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Evans, Fithian, Harris, Hoard, James, Johnson, Markley, Matteson, McMurtry, Nunnally, Parker, Ralston, Slocumb, Smith, Vandeventer, Warren, Willbanks, and Worthington—24.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 22, 1843.

Senate met pursuant to adjournment.

Mr. Houston, from the select committee to which was referred a bill from the House of Representatives for "An act for the removal of the county seat of Crawford county," reported the same back, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

The rule was dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles:

"An act to change the name of the town of Florence, Ogle county, to that of Oregon;"

"An act to legalize the survey of the town of Mount Vernon;"

"An act for the removal of the county seat of Henry county;"

"An act to fix the tenure of certain officers;"

"An act to enable the collector of Monroe county to collect the delinquent taxes of 1839," and

"An act to vacate a State road therein named."

Mr. Johnson, from the select committee to which was referred a bill for "An act to reduce the salaries and fees of officers, and retrenching the expenses of the State," reported the same back to the Senate, with amendments.

Mr. Warren moved that the bill and amendments be laid on the table until the fourth of July next.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 23, 1843.

Senate met pursuant to adjournment.

On motion of Mr. Hoard,

The order of business was suspended, and a bill from the House of Representatives for "An act to appoint a board of auditors to settle the accounts of Richard F. Barret, late Fund Commissioner," was taken up, read a first time, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Cavarly,

Referred to the committee on Finance.

Mr. Matteson, from the committee on Canals and Canal Lands, to which was referred a bill from the House of Representatives for "An act to authorize the canal commissioners to pay the back per centage on section one hundred and eighty-seven," reported the same back, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Fithian, from the select committee to which was referred a bill from the House of Representatives for "An act to amend and an act entitled 'An act to incorporate the Union Agricultural Society,'" reported the same back, with an amendment; which was concurred in.

The question pending being "Shall the bill pass?"

Which was put and decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Hoard, from the select committee to which was referred a bill from the House of Representatives for "An act to locate a State road therein named," reported the same back, with an amendment; which was concurred in.

Ordered that said bill be read a third time.

On motion of Mr. Hoard,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Wynne, from the select committee to which was referred a bill for "An act in relation to township school funds and for other purposes;" reported the same back, with an amendment.

Mr. Fithian moved to amend the amendment by striking out the words "to lend the same at its present worth in good money," and insert in lieu thereof the words "loan the same upon the very best terms they can make."

Mr. McMurtry moved to lay the bill and proposed amendments on the table until the 4th day of July next.

Mr. Harris moved to refer the bill and proposed amendments to the committee on School Lands and Education.

Mr. Hoard moved to amend the motion to refer by adding the following restrictions:

"That the school commissioners of the several counties of this State be and they are hereby authorized to demand of the State Bank of Illinois and the Bank of Illinois at Shawneetown; payment in specie for the amount of money held by the commissioners of the respective counties and in case the payment shall not be made in specie, then it shall be the duty of

such commissioners to hold the same for the benefit of the school funds of their respective counties, unless they may be enabled to loan the money at its par value at a rate of interest not less than six per cent. per annum."

Mr. Parrish moved to lay the proposed instructions on the table.

Mr. Smith moved to lay the whole subject on the table; which was not agreed to.

The question was then taken on laying the proposed instructions on the table, and decided in the affirmative.

The question was then taken on referring the bill and proposed amendments to the committee on School lands and Education, and decided in the affirmative.

Mr. Warren, from the select committee to which was referred a bill for "An act explanatory of an act entitled 'An act regulating the sale of property on judgments and executions,' approved January 6th, 1843," reported the same back, with an amendment.

The question was taken on concurring with the committee in the amendment reported by them, and decided in the negative:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Cavarly, Crain, Evans, Harris, Leviston, Nunnally, Parker, Parrish, Warren, Waters, Willbanks, and Wynne—14.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cullom, Davidson, Dougherty, Feaman, Fithian, Harrison, Henry, Houston, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Worthington—25.

Mr. Harris moved that the bill be indefinitely postponed; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Barnett, Crain, Evans, Harris, Houston, Leviston, Nunnally, Parker, Parrish, Warren, Waters, and Willbanks—12.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Worthington, and Wynne—29.

Mr. Dougherty moved to amend the bill by adding the following as an additional section:

"**SEC. 4.** That when any real estate shall be valued and offered for sale on execution or by virtue of any judicial proceeding, subject to redemption, and the same shall sell for the full amount of the valuation thereof, such sale shall be absolute and the purchaser shall be entitled to a deed, and to the possession of the estate purchased, but the provisions of this section shall in no case extend to the homestead, not exceeding sixty acres of land, actually occupied by the defendant."

Mr. Markley moved to amend the amendment by adding the following proviso:

"*Provided*, that all the appraisers shall concur in the appraisement;" which was,

On motion of Mr. McMurtry,

Laid on the table.

Mr. McMurtry moved to lay the amendment on the table; which was not agreed to.

Those who voted in the affirmative, are,
Messrs. Baker, Barnett, Buford, Crain, Cullom, Evans, Fithian, Harris, Henry, Houston, Killpatrick, McMurtry, Nunnally, Parrish, Stapp, Vandeventer, Warren, and Waters—18.

Those voting in the negative, are,
Messrs. Catlin, Cavarly, Davidson, Davis, Dougherty, Feaman, Harrison, James, Johnson, Leviston, Markley, Matteson, Minard, Parker, Ralston, Ruggles, Slocumb, Smith, Thompson, Willbanks, Worthington, and Wynne—22.

The question was then taken on the adoption of the proposed amendment, and decided in the affirmative:

Those who voted in the affirmative, are,
Messrs. Catlin, Cavarly, Davidson, Davis, Dougherty, Feaman, Harrison, James, Johnson, Leviston, Markley, Matteson, Minard, Parker, Ralston, Ruggles, Slocumb, Smith, Thompson, Willbanks, and Worthington—21.

Those who voted in the negative, are,
Messrs. Baker, Barnett, Buford, Crain, Cullom, Evans, Fithian, Harris, Henry, Houston, Killpatrick, McMurtry, Nunnally, Parrish, Stapp, Vandeventer, Warren, Waters, and Wynne—19.

Mr. Davis moved to amend the bill by adding the following as an additional section:

“SEC. Hereafter when the property shall be levied on and offered for sale by any officer, by virtue of any execution or fee bill, and the same shall not be sold for the want of bidders, the defendant shall not be permitted to retain possession of such property, without executing to the officer a good and sufficient bond for the delivery of such property at any future day named by such officer for the sale of said property.”

Mr. Killpatrick moved the previous question.

On the question—“Shall the main question be now put?”

It was decided in the affirmative.

The question was then taken on the adoption of the proposed amendment, and decided in the negative, as follows:

Those who voted in the affirmative, are,
Messrs. Baker, Catlin, Crain, Cullom, Davidson, Davis, Feaman, Harrison, James, Markley, Minard, Ralston, Slocumb, Vandeventer, and Worthington—15.

Those who voted in the negative, are,
Messrs. Barnett, Buford, Cavarly, Dougherty, Evans, Fithian, Harris, Henry, Houston, Johnson, Killpatrick, Leviston, Matteson, McMurtry, Nunnally, Parker, Parrish, Ruggles, Smith, Stapp, Warren, Waters, Willbanks, and Wynne—24.

The question was then taken the passage of the bill, as amended, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,
Messrs. Baker, Buford, Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Stapp, Vandeventer, and Worthington—26.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Crain, Evans, Harris, Houston, Leviston, Nunnally, Parker, Parrish, Warren, Waters, Willbanks, and Wynne—14

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Ewing, their Clerk

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, to wit:

"A bill regulating the revenue of La Salle county;"

"A bill authorizing the school commissioners of La Salle county to dispose of depreciated bank notes belonging to the school fund;"

A bill for "An act in relation to State bonds and other evidences of State indebtedness;"

"An act making compensation to Elijah Willard, formerly a commissioner of the board of public works," and

"An act to reduce the public debt one million of dollars, and to put the Bank of Illinois into liquidation."

In the passage of which they ask the concurrence of the Senate.

They have also concurred with the Senate in the passage of a bill for "An act to relieve the Mt. Vernon Academy."

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Baker, on leave, presented the petition of sundry citizens of Sangamon county, praying for the passage of a law authorizing Richard C. Nored to build a mill-dam across the north fork of Sangamon river; the reading of which was dispensed with, and,

On motion of Mr. Baker,

Referred to the committee on Internal Navigation.

Mr. Crain, from the select committee to which was referred a bill for "An act to amend 'An act to incorporate the city of Nauvoo.' in force February 1st, 1841;" reported the same back, with an amendment.

Mr. Baker moved to amend the amendment by striking out all after the word "That" in the first section of the amendment, and insert the following, to wit:

"All laws and parts of laws authorizing any of the authorities of any city in this State to grant writs of habeas corpus, be and the same is hereby repealed."

Mr. Crain moved to lay the proposed amendment to the amendment on the table; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Catlin, Crain, Dougherty, Killpatrick, Matteson, Smith, Waters, and Willbanks—8.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cavarly, Cullom, Davidson, Davis, Evans, Feaman, Fithian, Harris, Henry, Houston, James, Johnson, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Stapp, Thompson, Vandeventer, Warren, Worthington, and Wynne—30.

On motion of Mr. Cavarly,

The bill and proposed amendment, was referred to the committee on the Judiciary.

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harris, Henry, Hoard, Houston, Matteson, McMurtry, Minard, Parker, Ralston, Ruggles, Slocumb, Thompson, Vandeventer, and Warren—22.

Those who voted in the negative, are,

Messrs. Baker, Crain, Evans, James, Johnson, Killpatrick, Leviston, Markley, Nunnally, Parrish, Smith, Stapp, Waters, Willbanks, Worthington, and Wynne—16.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Parker, from the select committee to which was referred a bill from the House of Representatives, to authorize Calvin Boyd and James Shepherd to collect certain taxes, reported the same back, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Hoard, from the select committee to which was referred a bill from the House of Representatives for "An act to attach part of the county of La Salle to the county of Marshall," reported the same back, without amendment.

Ordered that said bill be read a third time.

Mr. Stapp, from the select committee to which was referred a bill for "An act to authorize the county commissioners' court of Warren county to pay out certain bank bills at their current value," reported the same back, with an amendment.

Mr. Cavarly moved that the bill and amendment be indefinitely postponed; and the question being taken thereon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Davis, Dougherty, Evans, Feaman, Harris, Hoard, Houston, Johnson, Killpatrick, Matteson, Nunnally, Parrish, Smith, Warren, and Wynne—17.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Fithian, Harrison, Henry, James, Leviston, Markley, McMurtry, Minard, Parker, Ralston, Ruggles, Slocumb, Stapp, Thompson, Vandeventer, Willbanks, and Worthington—12.

Mr. Ruggles moved to amend the amendment by striking out "thirty," relating to the amount to be levied on every hundred dollars, and inserting "sixty;" which was not agreed to.

On motion of Mr. Vandeventer,

The amendment was amended, by striking out "thirty," and inserting "fifty" in lieu thereof.

On motion of Mr. Ruggles,

That part of the amendment relating to the per diem allowance to be made by county commissioners' courts to laborers upon roads, was amended by striking "two dollars" and inserting "one dollar."

Mr. Smith moved to amend that part of the amendment setting apart one-half of the amount levied for county purposes, to be applied for road purposes, by striking out "one-half" and inserting "one-fourth."

Mr. McMurtry moved the previous question.

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Smith, to the amendment, and decided in the negative.

On the question—"Will the Senate concur with the committee in the amendment reported by them, as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Crain, Cullom, Davidson, Davis, Harrison Hoard, James, Markley, McMurtry, Minard, Ralston, Ruggles, Slocumb Stapp, Thompson, Vandeventer, Willbanks, and Worthington—20.

Those who voted in the negative, are,

Messrs. Cavarly, Dougherty, Evans, Feaman, Fithian, Harris, Henry Houston, Johnson, Killpatrick, Leviston, Matteson, Nunnally, Parker Parrish, Smith, Warren, and Wynne—18.

Ordered that the bill be re-engrossed as amended.

Mr. Harris, from the select committee to which was referred a petition for the relief of Thomas Pulliam, together with a report of the select committee to which said petition had been referred, reported the same back to the Senate, and recommended the adoption of the resolution accompanying said report.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles:

"An act to amend 'An act to establish a State road from Jemison's ferry in Pope county, to Cape Girardeau,' in force March 2, 1839;"

"An act concerning the sixteenth section, township one south, range five west, lying in the counties of Washington and Clinton;"

"An act to correct a mistake in the platting and recording of the plat of Peru;"

"An act to change the name of the town of Greenfield, in Warren county, to that of Greenbush;"

"An act to authorize the county commissioners of the county of Bureau to borrow money;"

"An act to establish a State road therein named;"

"An act to authorize the county commissioners of Rock Island county to build a free bridge across Rock river;"

"An act to vacate the town plat of Reedfield, in the county of Pike;"

"An act in relation to the town of Manchester;

"An act to locate a State road therein named;"

"An act confirming the survey and location of a State road from Charleston to Peoria;"

"An act to authorize the county commissioners of Wayne county to transfer a certain lot of ground;"

"An act to amend an act entitled 'An act providing for the binding of the laws and journals,' approved January 31, 1840;"

"An act to incorporate the Oak Grove Cemetery Association;"

"An act to open a new street in the city of Chicago, and for other purposes;"

"An act to enable Smith Turner, of Mason county to establish a ferry across the Sangamon river;"

"An act to locate a State road therein named;"

"An act to authorize the Governor to convey certain lots in the town of Shawneetown to E. J. Durbin;"

"An act authorizing Charles G. Eldridge to keep a ferry across the Mississippi river;"

"An act providing for the making of an index to the records of Cook county, and for other purposes."

On motion of Mr. Fithian,

The order of business was suspended.

Mr. Fithian offered for adoption, the following preamble and resolutions, which under the rule lie one day on the table:

Whereas, it is a matter of vital importance to the people of the State of Illinois to know the full amount of their indebtedness as a State, on account of internal improvement bonds, canal bonds, and railroad scrip, issued and disposed of by authority of law; *And whereas*, heretofore no account of internal improvement bonds, canal bonds, and railroad scrip has been accurately kept in any department of the State Government, whereby it can be certainly ascertained what amount of bonds and scrip has been disposed of, and for which the State is liable; *And whereas*, it is deemed highly necessary that measures should be speedily adopted to obtain, if possible, a certain knowledge of all the internal improvement bonds, canal bonds, and railroad scrip, that has been issued by this State, as also the amount of the same now outstanding as a debt against the people of this State; therefore,

Be it resolved by the General Assembly of the State of Illinois, That his Excellency the Governor of the State of Illinois, be requested to call upon every person who has, in any manner, or at any time, acted as an authorized agent of the State of Illinois, in disposing of internal improvement bonds, State House bonds, canal bonds, or railroad scrip, to furnish him with a statement of the amount of bonds or scrip, at any time disposed of by said agent; particularly noting the amount of each bond or scrip, the number thereof, the date, to whom sold, for what sold, for what amount sold, when sold, when due, and whether all or only part of the consideration has been received, and if only part, what part, if hypothecated, when hypothecated, with whom, upon what terms, the amount received thereon, and the amount, number, and date of each of said bonds or scrip so hypothecated, and whether the same has or has not been forfeited.

Resolved, That his Excellency the Governor be authorized and requested to use such other and further means in obtaining a knowledge of the

amount of bonds and scrip now outstanding against the State, within or without the United States, as he may deem proper, and that he be requested to report all the information he may be able to obtain on the subject to the next General Assembly, within the first week of the session.

Resolved, That his Excellency the Governor of this State be authorized and requested to obtain and take possession of all internal improvement bonds, canal bonds, and railroad scrip, now on deposit and in the hands of any person or persons, company or companies, and which may not have been sold or hypothecated to such person or persons, company or companies.

On motion of Mr. Stapp,

The rule was dispensed with in order to consider said preamble and resolutions.

The question was then taken upon their adoption and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Davis offered for adoption the following preamble and resolution, which lies one day on the table:

Whereas, sundry citizens of the city of Springfield, Illinois, executed a bond in favor of the State of Illinois for fifty thousand dollars; *And whereas*, payment has been made on said bond to the amount of thirty-three thousand three hundred and thirty-three dollars and thirty-three cents; *And whereas*, suit has been instituted for the recovery of the last installment, being sixteen thousand six hundred and sixty-six dollars and sixty-six cents; therefore,

Be it resolved the by Senate, the House of Representatives concurring herein, That if said obligors shall pay ten thousand dollars in such funds as is now provided for by law previous to the next Morgan circuit court, said suit shall be continued over, and if, at or before the next succeeding term of said court, said obligors shall pay six thousand six hundred and sixty-six dollars and sixty-six cents, said suit shall be dismissed at the costs of the defendants. Said payments may be made in such funds as is provided under "An act authorizing the payment in Illinois internal improvement scrip," approved, February 27, 1841, or in any other State securities.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of a bill for "An act in relation to judgments and executions."

The House of Representatives have passed a bill for "An act to establish seven Congressional districts."

In the passage of which they ask the concurrence of the Senate.

Engrossed bills of the following titles were severally read a third time by their titles and passed:

"An act to form the county of Pulaski," and

"An act to incorporate the Galena Manufacturing Company."

Engrossed bills of the following titles were severally read a third time by their titles and passed:

"An act in relation to the penitentiary;"

"An act in relation to the streets running through outlots in the town of Vandalia."

Engrossed bill for "An act to regulate the time of redemption of real estate sold for taxes by town or city corporations," was read a third time.

Mr. Warren moved that the bill be laid on the table until the 4th of July next; which was not agreed to.

On the question—"Shall the bill pass?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Cavarly, Cullom, Davis, Feaman, Fithian, Hoard, Houston, James, Johnson, Killpatrick, Leviston, Markley, Minard, Parker, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Willbanks, and Worthington—23.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Evans, Harris, Matteson, McMurtry, Nunnally, Parrish, Warren, Waters, and Wynne—12.

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives of their passage, and ask their concurrence.

Bills from the House of Representatives of the following titles were severally read a third time and passed:

"An act to change the name of Portland, in Cook county, to Blue Island;"

"An act defining the boundaries of McHenry county," and

"An act to regulate the fees of clerks of circuit courts in case of naturalization of foreigners."

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of their passage.

"An act to re-locate so much of the State road as lies between Springfield and Peoria, in the State of Illinois;" was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with and the said bill read a second time by its title, and

Ordered to a third reading.

"An act to incorporate the Rock River Bridge Company," was read a first time by its title, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Navigation.

"An act for the relief of persons who have made improvements on lands near the line of the Illinois and Michigan canal," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and the bill read a second time by its title, and referred to the committee on Canals and Canal Lands.

"An act to authorize John W. Smith, Benjamin B. Brown, Abijah Smith, and Charles McClure to build a dam across Fox river," was read, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Navigation.

"An act to define the line between McLean and Woodford counties," was read, and

Ordered to a second reading.

On motion of Mr. Barnett,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Barnett, Cullom, and Warren be that committee.

"An act authorizing the erection of a bridge across Rock river at Rockford," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

"An act to change the name of Georgetown, in Kendall county," was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

"An act authorizing Wm. Kinney to pay his indebtedness to the State in State bonds or scrip," was read, and

Ordered to a second reading.

On motion of Mr. Crain,

The rule was dispensed with, and said bill read a second time by its title.

On motion of Mr. Ralston,

The bill was amended by striking out "twelve" and inserting "six," and by striking out "bonds" and inserting "or other evidences of State indebtedness," and adding at the end of the bill the following:

Provided, this act shall not in any way delay or hinder the collection of said sum of money, or release any lien or security for the payment of the same, unless the same shall be paid as herein provided for, *And provided further*, that no interest shall be computed on the scrip so to be paid by the said Kinney."

On the question—"Shall the bill be ordered to a third reading?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Crain, Dougherty, Feaman, Henry, Hoard, James, Leviston, Matteson, Ralston, Stapp, Vandeventer, Warren, Waters, Worthington, and Wynne—17.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Cavarly, Cullom, Davis, Evans, Fithian, Harris, Houston, Johnson, Killpatrick, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ruggles, Slocumb, Smith, Thompson, and Willbanks—22.

Ordered, That the Secretary inform the House of Representatives thereof.

Senate bill for "An act to amend an act entitled 'An act concerning the public revenue,' " with the amendment made thereto by the House of Representatives, coming up for consideration, the question was taken on concurring in that amendment, and decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

"An act authorizing the building of a bridge across Rock river," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

"An act authorizing the erection of a mill-dam across Rock river," was read, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Navigation.

"An act for the relief of Richland Dougherty, of Schuyler county," was read, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Vandeventer,

The rule was further dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid and that the Secretary inform the House of Representatives of the passage of said bill.

On motion of Mr. Dougherty,

The order of business was suspended, and the bill contained in the last message from the House of Representatives for "An act to establish seven Congressional districts," was taken up, read a first time, and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule was dispensed with, and said bill read a second time by its title.

Mr. Killpatrick moved to amend the bill by striking "Scott" and "Morgan" from the counties embraced within the proposed seventh district, and adding them to the fifth district; which was,

On motion of Mr. Warren,

Laid on the table.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Crain, Davis, Dougherty, Evans, Feaman, Harris, Houston, James, Leviston, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—24.

Those who voted in the negative, are,
Messrs. Baker, Cavarly, Cullom, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Matteson, Minard, Ruggles, Smith, Stapp, Waters, and Worthington—16.

Mr. McMurtry moved to amend the bill by striking "Ogle" and "Winnebago" from the counties proposed to be embraced within the sixth district, and adding them to the fourth district; also, by striking "Fulton" and "Peoria" from the fifth, and adding them to the sixth district.

Mr. Warren moved the previous question.

Mr. Slocumb moved a call of the Senate; which proceeded some time, and was,

On motion of Mr. Baker, dispensed with.

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Davis, Dougherty, Feaman, Harrison, Houston, James, Leviston, Markley, McMurtry, Minard, Parrish, Ralston, Stapp, Thompson, Vandeventer, Warren, and Willbanks—22.

Those who voted in the negative, are,

Messrs. Cavarly, Cullom, Evans, Fithian, Harris, Henry, Hoard, Johnson, Killpatrick, Matteson, Nunnally, Parker, Ruggles, Slocumb, Smith, Worthington, and Wynne—17.

The question was then taken on the adoption of the amendment proposed by Mr. McMurtry, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Killpatrick, McMurtry, and Smith—5.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Catlin, Crain, Cullom, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Houston, James, Johnson, Leviston, Markley, Matteson, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Stapp, Thompson, Vandeventer, Warren, Willbanks, Worthington, and Wynne—34.

The question was then put—"Shall the bill be read a third time?" and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Crain, Davis, Dougherty, Evans, Feaman, Houston, James, Leviston, Markley, Parrish, Ralston, Stapp, Thompson, Vandeventer, Warren, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Cullom, Fithian, Harris, Harrison, Henry, Hoard, Johnson, Killpatrick, Matteson, McMurtry, Minard, Nunnally, Parker, Ruggles, Slocumb, Smith, Worthington, and Wynne—20.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 24, 1843.

The Senate met pursuant to adjournment.

Mr. Speaker announced two communications from the Governor upon executive business.

On motion of Mr. Parker,

Said communications was acted upon with open doors; they were read as follows:

EXECUTIVE DEPARTMENT,
Springfield, Feb. 23, 1843.

I nominate William B. Doolittle to be notary public for the town of Pekin, in the county of Tazewell; his appointment on the 21st instant having been vacated by a law passed the same day.

THOMAS FORD.

EXECUTIVE DEPARTMENT,
Springfield, Feb. 23, 1843.

I nominate Albert Neely to be public administrator for the county of Boone.

Alfred E. Ames to be notary public for the county of Boone.

George S. Meyers to be public administrator for the county of Brown.

John S. Bailey to be notary public for the county of Brown.

John McDonald to be public administrator for the county of Calhoun.

John McDonald to be notary public for the county of Calhoun.

Jacob D. Clark to be public administrator for the county of Cook.

Alonzo Huntington to be notary public for the county of Cook.

Henry Brown and Norman B. Judd to be notarys public for the city of Chicago, in Cook county.

Eli Barnes to be public administrator for the county of De Kalb.

Jesse C. Kellogg to be notary public for the county of De Kalb.

Milton M. Maughes to be public administrator and notary public for the county of Jo Daviess.

Alonzo B. Smith to be public administrator for the county of Kendall.

Ruliff S. Duryed to be notary public for the county of Kendall.

Henry G. Colton to be public administrator and notary public for the county of La Salle.

George W. Chase to be public administrator and notary public for the county of Lee.

William Edmonson to be public administrator for the county of McDonough.

James M. Campbell to be notary public for the county of McDonough.

Erastus Wheeler to be public administrator for the county of Madison.

Jonathan Bullock to be notary public for the county of Madison.

Silas Ramsey to be public administrator for the county of Marshall.

James M. Shannon to be notary public for the county of Marshall.

Edward S. Leland to be public administrator for the county of Ogle.

Henry Roberts to be notary public for the county of Ogle.

John C. Heyl to be public administrator for the county of Peoria.

Ralph Hamlin to be notary public for the county of Peoria.

John E. Osborne to be public administrator for the county of Putnam.

Thomas Atwater to be notary public for the county of Putnam.

Thomas Lewis to be public administrator for the county of Sangamon.

James W. Keyes to be notary public for the county of Sangamon.
George G. Grubb to be notary public for the city of Springfield, in Sangamon county.
John Brown to be public administrator for the county of Schuyler.
Adam Dunlap to be notary public for the county of Schuyler.
Oliver Whitaker to be public administrator and notary public for the county of Stark.
William G. Goforth to be public administrator for the county of St. Clair.
Theodore Engelmann to be notary public for the county of St. Clair.
Amos F. Patrick to be public administrator for the county of Will.
Franklin Mitchell to be notary public for the county of Will.
Daniel S. Haight to be public administrator for the county of Winnebago.
James Mitchell to be notary public for the county of Winnebago.

THOMAS FORD.

On motion of Mr. Cullom,

The nomination of William B. Doolittle to be notary public for the town of Pekin, in Tazewell county, was advised and consented to.

On motion of Mr. Vandeventer,

The nominations contained in the last of the foregoing communications were advised and consented to.

Mr. Barnett, from the committee on Counties, to which was referred a bill from the House of Representatives for "An act to provide for the permanent location of the county seat of Winnebago county," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Ruggles,

The rule was dispensed with, and said bill read a third time by its title and passed.

Mr. Matteson, from the committee on Canal and Canal Lands, to which was referred a like bill for "An act for the relief of persons who have made improvements on lands near the line of the Illinois and Michigan canal," reported the same back, without amendment.

Ordered, that said bill be read a third time.

On motion of Mr. Matteson,

The rule was dispensed with, and the bill was read a third time by its title and passed.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act to appoint a board of auditors to settle the accounts with R. F. Barret, late Fund Commissioner," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to a third reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said bill read a third time by its title and passed.

Ordered, That the titles of the last named three bills be as aforesaid, and that the Secretary inform the House of Representatives of their passage, and ask their concurrence in the amendment of the Senate.

Mr. Davidson, from the committee on School Lands and Education, to

which was referred a bill from the House of Representatives for "An act to enable the inhabitants of school townships in Hancock county to purchase the school lands therein, and for other purposes," reported the same back, with an amendment; which was concurred in.

Ordered that said bill be read a third time, as amended.

Mr. Barnett, from the committee on Counties, to which was referred a petition of sundry citizens of Menard county, praying for the establishment of the boundary between that and Sangamon county, reported the same back to the Senate, and asked to be discharged from the further consideration of the said subject; which was granted.

Mr. Wynne asked and obtained leave to withdraw the aforesaid petition.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act to confirm the acts of John J. McGraw, justice of the peace for De Witt county," reported the same back, without amendment, and recommended the passage of the bill.

Ordered that said bill be read a third time.

On motion of Mr. Barnett,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

Ordered, That title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Hoard moved to re-consider the vote taken on yesterday, on ordering to a third reading a bill from the House of Representatives for "An act to establish seven Congressional districts," and

On the question—"Shall said vote be re-considered?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Crain, Davis, Dougherty, Evans, Feaman, Henry, Hoard, Houston, James, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Stapp, Thompson, Vandeventer, Willbanks, and Worthington—24.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Davidson, Fithian, Harris, Killpatrick, Nunnally, Parker, Parrish, Slocumb, Smith, Warren, Waters, and Wynne—16.

On the question—"Shall the said bill be ordered to a third reading?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Crain, Davis, Dougherty, Evans, Feaman, Hoard, Houston, Leviston, Markley, McMurtry, Ralston, Ruggles, Stapp, Thompson, Vandeventer, Warren, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Davidson, Fithian, Harris, Harrison, Henry, James, Johnson, Killpatrick, Matteson, Minard, Nunnally, Parker, Parrish, Slocumb, Smith, Waters, Worthington, and Wynne—22.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Fithian, from the select committee to which was referred a bill for

"An act to provide for the division of Coles county," reported the same back, with an amendment; which was concurred in.

On motion of Mr. Cavalry,

The bill as amended was referred to the committee on Internal Improvements.

A message was received from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill of the following title:

"An act to establish Cumberland county;"

In the passage of which they ask the concurrence of the Senate.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles:

"An act to locate a State road therein named;"

"An act to change the name of the town of Greenfield, in Warren county, to that of Greenbush;"

"An act providing for the making of an index to the records of Cook county, and for other purposes;"

"An act to amend 'An act to establish a State road from Jemison's ferry, in Pope county, to Cape Girardeau,' in force March 2, 1839."

"An act to authorize the county commissioners of Rock Island county to build a free bridge across Rock river;"

"An act to correct a mistake in the platting and recording of the plat of Peru;"

"An act to vacate the town plat of Reedfield, in the county of Pike;"

"An act in relation to the town of Manchester;"

"An act confirming the survey and location of a State road from Charleston to Peoria;"

"An act to locate a State road therein named;"

"An act to establish a State road therein named;"

"An act to amend an act entitled 'An act providing for the binding of the laws and journals,' approved January 31, 1840;"

"An act to authorize the county commissioners of the county of Beau-reau to borrow money."

"An act to incorporate the Oak Grove Cemetery Association;"

"An act to enable Smith Turner, of Mason county, to establish a ferry across the Sangamon river;"

"An act authorizing Charles G. Eldridge to keep a ferry across the Mississippi river;"

"An act to authorize the county commissioners of Wayne county to transfer a certain lot of ground therein named;"

"An act to authorize the Governor to convey certain lots in the town of Shawneetown to E. J. Durbin."

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles:

"An act in relation to public roads in the county of Washington;"

"An act to review and re-locate the State road leading from Princeton to Pawpaw Grove,"

"An act to relieve the Mount Vernon Academy."

"An act to locate a State road therein named;"

"An act to authorize county commissioners' courts to erect fire proof offices for the preservation of county records;"

"An act to review and re-locate a State road from Jesse Hammer's to Chillicothe, in Peoria county;"

"An act to legalize the military acts of Reese Bayless."

Mr. Davidson, from the select committee to which was referred a bill from the House of Representatives for "An act to provide for the sale of public property, and the payment of the public debt," and Senate bills of the following titles:

"An act to provide for the sale of railroad lands and materials, and other lands," and

"An act appropriating certain property to the payment of the State debt," reported the House bill, with an amendment, recommended its passage, and the rejection of the two last named bills.

Mr. Cavarly moved to amend the amendment by striking out that part of the amendment which relates to slopes and the dam at Carmi; which was agreed to.

Mr. Fithian moved to lay the bill, as amended, on the table; which was not agreed to.

On motion of Mr. Vandeventer,

The first section of the bill was amended, by adding after the word "roads," in the eighteenth line, the following:

"Except the right of way given by individuals to the State, for the purpose of constructing the Northern Cross Railroad, west of the Illinois river, the use of which said right of way is hereby declared relinquished to the original owners, free from all incumbrances so far as the State is concerned, until the State shall desire to reclaim the same for the construction of a road."

On the question—"Shall said bill, as amended, be ordered to a third reading?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Davidson, Dougherty, Evans, Gorman, Harris, Houston, James, Leviston, Markley, Matteson, Smith, Thompson, Vandeventer, and Waters—18.

Those who voted in the negative, are,

Messrs. Baker, Crain, Cullom, Davis, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Nunnally, Parker, Parrish, Thompson, Ruggles, Slocumb, Thompson, Warren, Willbanks, Worthington, and Wynne—23.

A message from the House of Representatives, by Mr. Ewing, their speaker, was received:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of bills of the following titles:

"An act for the relief of Abram J. Vandegrift and others;"

"An act for the regulating of county treasuries and county funds," and

"An act to locate a State road therein named."

The House of Representatives have also concurred with the Senate in the passage of a bill for "An act to re-locate the county seat of Carroll coun-

ty," with an amendment. In which they ask the concurrence of the Senate.

They have also passed a bill for "An act to locate a State road from Salle to Inlet Grove."

In the passage of which they ask the concurrence of the Senate.

On motion of Mr. Wynne,

The vote last taken, on ordering to a third reading a bill for "An act to provide for the sale of public property, and the payment of the public debt," was re-considered.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval a bill for "An act for the location of an academy in the county of Vicksburg and for other purposes."

On motion of Mr. Dougherty,

The order of business was suspended, and a bill taken from the table for "An act to provide for letting the Northern Cross Railroad line, and other railroad lines in this State, to companies," and on Mr. Dougherty's further motion, said bill was referred to the committee on Internal Improvements.

On motion of Mr. Hoard,

The order of business was suspended to enable him to introduce the following order:

Ordered, That the Secretary be directed to respectfully request the House of Representatives to return to the Senate a bill which the Senate refused to order to a third reading, providing for the districting of the State into Congressional districts.

On the question—"Shall said order be adopted?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Crain, Davis, Dougherty, Evans, Leman, Harrison, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Parrish, Ralston, Ruggles, Stapp, Thompson, Van Venter, Warren, and Willbanks—25.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Cullom, Davidson, Fithian, Harris, John Killpatrick, Nunnally, Parker, Slocumb, Smith, Waters, Worthington and Wynne—15.

On motion of Mr. Crain,

The order of business was suspended and a bill some days since laid on the table, for "An act to repeal the charter of Nauvoo," was taken up for consideration.

Mr. Davis moved to lay the bill on the table until the 4th day of March next.

On motion of Mr. Cavarly,

Referred to the committee on the Judiciary.

Those who voted in the affirmative, are,
Messrs. Barnett, Buford, Catlin, Cavarly, Davidson, Davis, Feaman,
arris, Harrison, Hoard, Houston, Leviston, Matteson, McMurtry, Mi-
ard, Parker, Ralston, Stapp, Thompson, Vandeventer, and Warren—21.

Those who voted in the negative, are,
Messrs. Baker, Crain, Cullom, Dougherty, Evans, Fithian, Henry,
mes, Johnson, Killpatrick, Markley, Nunnally, Parrish, Ruggles, Slo-
mb, Smith, Waters, Willbanks, Worthington, and Wynne—20.

Engrossed bill for "An act to authorize the county commissioners' court
Warren county to pay out certain bank bills at their current value,"
as read a third time.

On motion of Mr. Cavarly,

The second section of the bill was amended by adding after the word
aws," the words "of a general nature."

On the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,
Messrs. Baker, Buford, Cullom, Davis, Fithian, Harrison, Henry, Hoard,
mes, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Stapp,
hompson, Vandeventer, Willbanks, and Worthington—20.

Those who voted in the negative, are,
Messrs. Barnett, Catlin, Cavarly, Crain, Davidson, Dougherty, Evans,
aman, Harris, Houston, Johnson, Killpatrick, Leviston, Nunnally, Par-
r, Parrish, Slocumb, Smith, Warren, Waters, and Wynne—21.

A message from the House of Representatives, by Mr. Ewing, their
erk:

Mr. Speaker: I am directed by the House of Representatives to return
the Honorable the Senate, in pursuance of their request, a bill for
an act to establish seven Congressional districts."

On motion of Mr. Matteson,

The order of business was suspended, and a bill for "An act to reduce
e public debt one million of dollars, and to put the Bank of Illinois into
uidation," was taken up, and read a first time by its title, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and the bill was read a sec-
d time by its title, and referred to the committee on Incorporations.

On motion of Mr. Baker,

The vote taken on this morning, on ordering to a third reading a bill
"An act to establish seven Congressional districts," was re-considered.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Crain, Davis, Dougherty, Evans, Fea-
an, Harrison, Hoard, Houston, James, Johnson, Leviston, Markley,
atteson, McMurtry, Minard, Parrish, Ralston, Ruggles, Stapp, Thomp-
n, Vandeventer, Waters, Willbanks, and Worthington—27.

Those who voted in the negative, are,

Messrs. Barnett, Cavarly, Cullom, Davidson, Fithian, Harris, Henry,
illpatrick, Nunually, Parker, Slocumb, Smith, Warren, and Wynne—14.

Mr. Catlin moved to re-consider the vote taken on yesterday, on or-

dering the main question, in relation to a bill for "An act to establish seven Congressional districts," and

On the question—"Shall said vote be re-considered?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Cullom, Davidson, Davis, Fithian, Hoard, Houston, James, Johnson, Killpatrick, Matteson, McMurtry, Parker, Parrish, Slocumb, Smith, and Worthington—20.

Those who voted in the negative, are,

Messrs. Barnett, Crain, Dougherty, Evans, Feaman, Harris, Harrison, Henry, Leviston, Markley, Minard, Nunnally, Ralston, Ruggles, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—21.

On the question—"Shall the bill be read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Crain, Davis, Dougherty, Evans, Feaman, Harrison, Hoard, Houston, Leviston, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Stapp, Thompson, Vandeventer, Warren, Waters, and Willbanks—23.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Davidson, Fithian, Harrison, Henry, James, Johnson, Killpatrick, Nunnally, Parker, Parrish, Slocumb, Smith, Worthington, and Wynne—18.

On motion of Mr. Davidson,

The vote taken this morning, by which the Senate concurred with select committee in an amendment to a bill from the House of Representatives for "An act to provide for the sale of the public property and the payment of the public debt," was re-considered.

On motion of Mr. Slocumb,

The amendment reported by the committee was amended, by striking out all of the first section after the word "that," in the twenty-third section and inserting the following:

"Nor to the mills and water power owned by the State, upon the Little Wabash river at Carmi and New Haven; but the Governor is hereby required, after giving six weeks public notice in two newspapers published in the vicinity, to lease the same for two years from the expiration of the lease of the present lessees, to the highest bidder, for internal improvement bonds or scrip, to be paid in advance. The lessees thereof being required in addition, to have completed, on or before the first day of January next, good, new, and substantial slopes, in each of said dams, to be not less than fifty feet wide, nor less than fifty feet long, and that at Carmi to be thirty inches perpendicular, and that at New Haven, twenty inches perpendicular lower, where said slopes shall connect themselves with the dams, the said dams now are. The place where said slopes shall be placed in said dams to be determined upon by the county commissioners of White County, and who shall also, and they are hereby required, to be the judges of the sufficiency of the work when done, and should the lessees fail to make said slopes, as herein required, the said commissioners shall notify the Governor of the fact.

"A failure to make the slopes by the lessees, as herein required, shall be a forfeiture of their respective leases, from the first day of January next.

and the Governor is hereby required to re-let said mills and water power on the same terms as herein provided, for the remaining and unexpired term of the said two years."

Mr. Smith moved to amend the bill by adding the following:

"SEC. The valuation made and affixed to each tract of land by the commissioners who selected the two hundred and ten thousand acres of land donated by Congress to this State, shall be adopted by the Governor at the appraised value thereof;" which was not agreed to.

On motion of Mr. Davidson,

The bill was amended by adding to the same, the following:

"SEC. 11. Should that portion of the Northern Cross Railroad, lying between Springfield and Meredosia, be sold, the purchaser or purchasers thereof are hereby authorized to make such changes in the location, or the termination of said road, as they may deem advisable."

On motion of Mr. Baker,

The bill and amendments were referred to a select committee.

Ordered, That Messrs. Baker, Davidson, Dougherty, Cavarly, and Partridge be that committee.

A message from the House of Representatives, by Mr. Ewing, their clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have indefinitely postponed Senate bill for "An act supplemental to 'An act to create the county of Marquette.'"

A message from the Council of Revision, by Mr. Kelly, their Secretary: Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles:

An act for the location of an academy in the county of Will, and for other purposes;"

An act to relieve the Mount Vernon Academy;"

An act to authorize county commissioners' courts to erect fire proof buildings for the preservation of county records;"

An act to review and re-locate a State road from Jesse Hammer's to the north, in Peoria county;"

An act to locate a State road therein named;"

An act in relation to public roads in the county of Washington;"

An act to legalize the military acts of Reese Bayless;"

An act to review and re-locate the State road leading from Princeton to Lawpaw Grove;"

House bill for "An act authorizing the erection of a bridge across the Rock river, at Rockford," was read a third time and passed.

House bill for "An act to re-locate so much of the State road as lies between Springfield and Peoria, in the State of Illinois," was read a third time by its title, on motion of Mr. McMurtry, and passed.

House bill for "An act to enable the inhabitants of school townships in Hancock county, to purchase the school lands therein, and for other purposes," coming up for consideration, as amended by the Senate, was read a third time by its title and passed.

On motion of Mr. Davis,

The title of said bill was amended by striking out the words "and for other purposes."

Ordered, That the titles of said bills be as aforesaid, and as amended, and that the Secretary inform the House of Representatives of their passage, and ask their concurrence in the amendments of the Senate.

"A bill for "An act appropriating certain property to the payment of the State debt," and a bill for "An act to provide for the sale of railroad lands and materials, and other lands," coming up for consideration,

On motion of Mr. Fithian,

Said bills were laid on the table.

On motion of Mr. Warren,

The order of business was suspended, and a bill from the House of Representatives for "An act fixing the times of holding courts in the eight judicial circuit," was taken up, read the first time, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Warren, and Barnett be that committee.

A bill from the House of Representatives for "An act to improve navigation in Rock river at Rockford, in the county of Winnebago, and to incorporate the Rockford Hydraulic and Manufacturing Company," was read a first time, and

Ordered to a second reading.

On motion of Mr. Ruggles,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and referred to the committee on Internal Navigation.

On motion of Mr. Hoard,

A bill from the House of Representatives, some days since laid on the table, for "An act to regulate proceedings by attachments before justice of the peace, approved February 27, 1837," was taken up.

Mr. Hoard moved to amend the bill by adding the following provision to the fourth section of the bill:

Provided, that the defendant in any attachment may file a plea of abatement, traversing any or all of the material facts contained in the affidavit, and a trial shall be thereon had, and if the issue be found for the defendant, the attachment shall be quashed, and the property attached released, and the garnishee or garnishees discharged," and also, to strike out the third section of the bill.

On motion of Mr. Warren,

The bill and proposed amendment was laid on the table until the 4th day of July next.

A message from the House of Representatives, by Mr. Ewing, the Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have refused to order to a third reading a Senate bill for "An act granting a ferry to Thomas Eagan."

They have passed bills of the following titles:

"An act to authorize S. Copeland to establish a ferry across the Ohio river, in Massac county," and

"An act to incorporate the Coltonville Steam and Hydraulic Manufacturing Company."

A bill from the House of Representatives for "An act to establish Cumberland county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Parker, Warren, and Fithian be that committee.

A House bill for "An act in relation to the Supreme Court," was read first time, and

Ordered to a second reading.

On motion of Mr. Harrison,

Said bill was read a second time by its title, and referred to the committee on the Judiciary.

A message from the House of Representatives, by Mr. Ewing, their clerk.

Mr. Speaker: I am directed by House of Representatives to inform the Senate that they have concurred with them in the passage of bills of the following titles:

A bill for "An act to locate a State road from Lewiston, in Fulton county, to Mcnmouth, in Warren county;"

"An act to amend 'An act declaring Spoon river a navigable stream,'" and

"An act in relation to the taxes of Fulton county for the year 1839."

Mr. McMurtry moved that the Senate adjourn to 7 o'clock, P. M.; which was not agreed to.

On motion,

The Senate adjourned.

SATURDAY, FEBRUARY 25, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles:

"An act to provide for a final settlement between the State House commissioners and the State;"

"An act to repeal the twenty-first section of an act entitled 'An act to amend the incorporated powers of the town of Pekin, and to provide for the election of an additional justice of the peace and constable in the Pekin precinct;'"

"An act for the purposes therein named;"

"An act to define the boundary lines of Menard county;"

"An act to authorize Isaac Gordon to build a mill-dam," and

"An act for the benefit of the county of Marquette and for other purposes."

In the passage of which bills I am directed to ask the concurrence of the Senate.

The House of Representatives have refused to concur with the Senate in its amendment to a bill for "An act supplementary to the several acts defining the duties of the Public Printer;" and have concurred with the Senate in the passage of a bill for "An act concerning the revenue."

They have also concurred with the Senate in the passage of bills of the following titles:

"An act to permanently locate the seat of justice of the county of Whiteside," and

"An act to incorporate the the town of Winchester, in Scott county, with amendments, in which amendments they ask the concurrence of the Senate.

The House of Representatives have also refused to order to a third reading Senate bills of the following titles:

"An act requiring officers to issue and execute process," and

"An act for the benefit of minor heirs."

Mr. Matteson, from the committee on Finance, which had under consideration a resolution directing that committee to inquire into the expediency of abolishing the office of Fund Commissioner and of requiring the Governor to perform the duties of that office, reported the same back to the Senate, together with a communication from the Governor upon the subject embraced in said resolution; which communication was read, and,

On motion of Mr. Cavarly,

Referred to the committee on Finance.

On motion of Mr. Cavarly,

The order of business was suspended, and a bill from the House of Representatives for "An act to abolish the office of Fund Commissioner, and for other purposes therein named," was taken up, read a first time, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said bill read a second time by its title and referred to the committee on Finance.

On motion of Mr. Harris,

The resolution above referred to was laid on the table.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill for "An act authorizing a settlement with Macalister & Stebbins, and further to diminish the State debt," reported the same back with an amendment; which was concurred in.

On motion of Mr. Harris,

Said bill was laid on the table.

Mr. Dougherty, from the committee on Incorporations, to which was referred a bill from the House of Representatives for "An act to put the Bank of Illinois into liquidation," reported the same back to the Senate without amendment, and recommended its passage.

Ordered that said bill be read a third time.

On motion of Mr. Dougherty,

The order of business was suspended, and said bill read a third time by its title.

Mr. Dougherty moved to amend the bill, by adding thereto the following:

"Sec. 15. This act to be in force from and after the third day of March next."

Mr. Crain moved to lay said amendment on the table, and the question being taken thereon,

It was decided in the negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Crain, Evans, Fithian, Harris, Henry, Houston, James, McMurtry, Minard, Nunnally, Ralston, Smith, Warren, Willbanks, and Wynne—19.

Those who voted in the negative, are,

Messrs. Buford, Cullom, Davidson, Davis, Dougherty, Feaman, Harrison, Hoard, Johnson, Killpatrick, Leviston, Markley, Matteson, Parker, Parrish, Ruggles, Slocumb, Stapp, Thompson, Vandeventer, Waters, and Worthington—22.

The question was then taken on the adoption of the amendment proposed by Mr. Dougherty, and decided in the affirmative.

The question was then put—"Shall the bill pass as amended?" and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Evans, Feaman, Harris, Hoard, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Thompson, Vandeventer, Warren, Willbanks and Wynne—25.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, Slocumb, Smith, Stapp, Waters—15.

Mr. Davidson moved to amend the title of said bill by striking out all after the words "An act," and inserting in lieu of the part of stricken out words "to repeal the charter of the Bank of Illinois."

Mr. Parker moved the previous question; which was put, and decided in the affirmative.

The question was then taken upon the proposed amendment to the title said bill, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Ruggles, Slocumb, Smith, Stapp, Waters, and Worthington—16.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Evans, Feaman, Harris, Houston, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Thompson, Vandeventer, Warren, Willbanks, and Wynne—24.

Ordered, That the title be as aforesaid, without amendment, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendment of the Senate.

Mr. Dougherty, from the same committee, to which was referred a bill for "An act to reduce the public debt one million of dollars, and to

put the Bank of Illinois into liquidation," reported the same back to the Senate, without amendment, and recommended its passage.

On the question—"Shall the bill be read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Cullom, Davidson, Dougherty, Feaman, Fithian, Harrison, Hoard, Houston, Johnson, Killpatrick, Leviston, Matteson, McMurtry, Parker, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Worthington—25.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Davis, Evans, Harris, Henry, James, Markley, Minard, Nunnally, Parrish, Ralston, Willbanks, and Wynne—15.

On motion of Mr. Dougherty,

The order of business was suspended, and said bill read a third time.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendment to a bill for "An act to put the Bank of Illinois into liquidation."

On motion of Mr. Matteson,

The bill under consideration was amended by adding to the eleventh section thereof the following:

"*Provided,* that the bank shall not hereafter be allowed to charge a greater rate of interest than six per cent. per annum, on the renewal of any note."

On the question—"Shall the bill pass as amended?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cavarly, Davidson, Dougherty, Feaman, Fithian, Harrison, Hoard, Houston, Johnson, Leviston, Matteson, McMurtry, Parker, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Waters, and Worthington—23.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Cullom, Davis, Evans, Harris, Henry, James, Killpatrick, Markley, Minard, Nunnally, Parrish, Ralston, Warren, Willbanks, and Wynne—18.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill for "An act concerning negroes and mulattoes escaping from their masters," reported the same back with amendments.

Mr. Stapp called for a division of the question; which was taken, first upon concurring with the committee in their amendment proposing to strike out "two," before the word "years," in the third section, and insert "one," and decided in the affirmative.

The question was next taken upon concurring with the committee in their other amendment, being additional section six, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Crain, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Henry, Houston, James, Johnson, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—33.

Those who voted in the negative, are,

Messrs. Hoard, Killpatrick, Matteson, McMurtry, Ruggles, and Smith—6.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act to provide for the apportionment of school moneys in Cook county for the year 1842, and for other purposes."

In the passage of which they ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in their amendment to a bill for "An act to reduce the public debt one million of dollars and to put the Bank of Illinois into liquidation."

I am further directed by the House of Representatives respectfully to request the Honorable the Senate to return to the House a bill passed on yesterday, for "An act for the benefit of the county of Marquette, and for other purposes."

The House of Representatives have concurred with the Senate in their amendment to a bill for "An act to enable the inhabitants of school townships, in Hancock county, to purchase the school lands therein, and for other purposes."

Mr. McMurtry moved that the bill under consideration, the same being a bill for "An act concerning negroes, &c.," be indefinitely postponed; and the question being taken thereon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Fithian, Henry, Hoard, Johnson, Killpatrick, Matteson, McMurtry, Ruggles, Smith, and Thompson—11.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Davidson, Davis, Dougherty, Evans, Feaman, Harris, Houston, James, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Stapp, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—28.

Mr. Parker moved to amend the bill by adding the following section:

"SEC. When any negro or mulatto shall be released, or set at liberty, under the provisions of this act, the lessee of the penitentiary shall pay into the State Treasury the amount which may have been paid by the State in placing said negro or mulatto in the penitentiary;" which was not agreed to.

Mr. Ralston moved to amend the bill by adding the following section:

"SEC. 7. Any person who shall harbor, secrete, advise, or in any manner assist or encourage any negro or mulatto person, the same being the property of any other person or persons to whom such negro or mulatto belongs, shall, on conviction, be confined in the penitentiary for a term of not less than one year, nor more than five years; and shall, moreover,;

be liable to the owner of such negro or mulatto in the sum of five hundred dollars for each offence; to be recovered in an action of debt, before any court of competent jurisdiction; and it shall not be necessary in any action to recover such penalty, that a conviction under the foregoing provisions be first had and obtained."

Mr. Baker moved to amend the additional section, proposed by Mr. Ralston, by striking out the words, "confined in the penitentiary for a term not less than one year nor more than five years," and inserting in lieu thereof the words "fined in a sum not exceeding one thousand dollars, or imprisoned for a term not exceeding six months."

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker : I am directed by the House of Representatives to inform the Senate that they have refused to concur with the Senate in their amendment to a bill for "An act authorizing an additional justice of the peace and constable in Middletown precinct, in McDonough county."

They have passed bills of the following titles:

"An act to encourage the growth of wool and for the protection of sheep," and

"An act to incorporate the La Salle County Mutual Fire Insurance Company."

In the passage of which they ask the concurrence of the Senate.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles:

"An act to locate a State road therein named;"

"An act for the regulating of county treasuries and county funds;"

"An act for the for the relief Abram J. Vandegrift and others," and

"An act in relation to judgments and executions."

Mr. Davidson, from the committee on School Lands and Education, to which was referred a bill for "An act to provide for the distribution of the interest upon school, college, and seminary funds to new counties;" reported the same back, without amendment, and recommended the passage of the bill.

Ordered that said bill be read a third time.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Matteson, from the committee on Counties, to which was referred a bill for "An act to provide for the payment of the interest on the school, college, and seminary fund," reported the same back, with an amendment.

Mr. McMurtry, moved to lay the bill and proposed amendment on the table until the fourth day of July next; which was not agreed to.

Those who voted in the affirmative, are,
Messrs. Buford, Crain, Harris, Killpatrick, Leviston, Markley, McMurtry, Slocumb, and Wynne—9.

Those who voted in the negative, are,
Messrs. Baker, Barnett, Catlin, Cavarly, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Hoard, James, Johnson, Matteson, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Smith, Stapp, Vandeventer, Warren, Waters, Willbanks, and Worthington—27.

The question was then taken on concurring with the Finance committee in their amendment to the bill, and decided in the affirmative.

Ordered that said bill, as amended, be read a third time.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed, as amended.

On motion of Mr. Matteson,

The title of the bill was amended by striking out all after the words "An act" and inserting the following:

"To adjust the assessment of Thomas Cox's property in the year 1841."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act concerning negroes and mulattoes escaping from their masters," coming up for consideration, and the question pending thereon being upon the adoption of the amendment of Mr. Baker to the amendment offered by Mr. Ralston to said bill, the same was put and decided in negative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Fithian, Harrison, Hoard, Johnson, Killpatrick, Minard, Parker, Ruggles, and Smith—10.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Harris, James, Leviston, Markley, Matteson, McMurtry, Nunnally, Parrish, Ralston, Slocumb, Stapp, Vandeventer, Warren, Waters, Willbanks, and Wynne—27.

Mr. Warren moved the previous question; which was put and decided in the affirmative; whereupon,

The question was put on the amendment offered by Mr. Ralston, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, James, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Ralston, Slocumb, Stapp, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—31.

Those who voted in the negative, are,

Messrs. Baker, Hoard, Johnson, Killpatrick, Minard, Ruggles, and Smith—7.

The question was then taken on the ordering the bill to be engrossed for a third reading, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Harris, Harrison, James, Leviston,

Markley, Nunnally, Parrish, Ralston, Slocumb, Stapp, Vandever, Warren, Waters, Willbanks, Worthington, and Wynne—27.

Those who voted in the negative, are,

Messrs. Baker, Fithian, Hoard, Johnson, Killpatrick, McMurtry, Minard, Parker, Ruggles, and Smith—10.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to repeal the internal improvement system," reported the same back, with an amendment; which was concurred in.

Ordered that said bill, as amended, be engrossed for a third reading.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to provide for the reduction of the number of supreme judges, and to provide for the establishment of circuit courts," reported the same back, without amendment, and recommended its rejection.

On motion of Mr. Stapp,

Said bill was referred to a select committee.

Ordered, That Messrs. Stapp, Vandever, and McMurtry be that committee.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles:

"An act authorizing Vermilion and Iroquois counties to sell certain lands and make certain payments to Champaign county, and for other purposes," and

"An act concerning the revenue."

Mr. Fithian, from the select committee to which was referred a bill for "An act for the better security of State, county, and township funds," reported the same back, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

On motion of Mr. Fithian,

The rule was dispensed with and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that Secretary inform the House of Representatives of the passage of said bill.

Mr. Ruggles, from the select committee to which was referred a House bill for "An act to define the bounds of Boone county," reported the same back, with an amendment; which was concurred in.

Ordered that said bill be read a third time, as amended.

On motion of Mr. Ruggles,

The rule of the Senate was dispensed with, and said bill was read a third time by its title and passed, as amended.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Barnett, from the select committee to which was referred a bill for "An act to define the line between McLean and Woodford counties," reported the same back, without amendment, and recommended the passage of the bill.

Ordered that said bill be read a third time.

On motion of Mr. Barnett,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Dougherty, from the select committee to which was referred a bill for "An act fixing the times of holding the courts in the eighth judicial circuit," reported the same back, without amendment, and recommended its passage.

Ordered that said bill be read a third time.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

Mr. Stapp, from the select committee to which was referred a blank bill for "An act to improve the navigation of Rock river," reported the same back, with an amendment.

Mr. McMurtry moved to amend the bill by striking out the fourth section; which was not agreed to.

Mr. Nunnally moved to lay the bill and amendment on the table until the 4th day of July next; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Evans, Harris, James, Markley, McMurtry, Nunnally, Parrish, Ralston, Slocumb, Warren, and Wynne—13.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cavarly, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, Johnson, Killpatrick, Leviston, Matteson, Minard, Parker, Ruggles, Smith, Stapp, Waters, and Willbanks—22.

Mr. Markley moved to amend the amendment by adding the following to the eighth section of the bill:

"The private property of the stockholders shall be subjected to the payment of the debt of said corporation."

Mr. Harrison moved to lay the amendment to the amendment on the table.

Mr. Baker moved the previous question; which was put and decided in the affirmative.

Whereupon the question was taken on laying the amendment to the amendment on the table, and decided in the negative:

Those voting in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Johnson, Killpatrick, Minard, Ruggles, Smith, Stapp, and Waters—15.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Dougherty, Evans, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Nunnally, Parrish, Ralston, Slocumb, Vandeventer, Warren, Willbanks, Worthington, and Wynne—23.

The question was then taken on the adoption of the amendment to the amendment, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Davis, Dougherty, Evans, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Nunnally,

ly, Parker, Parrish, Ralston, Slocumb, Vandeventer, Warren, Willbanks, Worthington, and Wynne—24.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Feaman, Fithian, Harrison, Johnson, Killpatrick, Minard, Ruggles, Smith, Stapp, and Waters—14.

On the question—"Shall the amendment, as amended, be agreed to?"

It was decided in the affirmative.

Ordered that said bill, as amended, be engrossed for a third reading.

Mr. Baker, from the select committee to which was referred a bill for "An act to provide for the sale of public property, and the payment of the public debt," reported the same back, with an amendment.

The question was taken on concurring with the committee in the amendment to the bill, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, Johnson, Killpatrick, McMurtry, Minard, Parker, Ralston, Ruggles, Slocumb, Stapp, Vandeventer, Waters, and Worthington—22.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Evans, Harris, James, Leviston, Markley, Nunnally, Parrish, Smith, Warren, Willbanks, and Wynne—14.

Mr. Fithian moved to amend the bill, by adding the following proviso:

"*Provided*, that the Governor, under the provisions of this act, shall not have the power to appoint more than one agent, who shall be allowed pay for services,"

And also, strike out all that portion of the bill exempting lands from taxation after sale.

On motion of Mr. Markley,

The proposed amendment was laid on the table.

Those who voted in the affirmative, are,

Messrs. Davidson, Davis, Dougherty, Evans, Feaman, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Ralston, Slocumb, Stapp, Vandeventer, Willbanks, and Wynne—20.

Those voting in the negative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Fithian, Harrison, Johnson, Killpatrick, Parker, Parrish, Ruggles, Smith, Warren, Waters, and Worthington—18.

On the question—"Shall said bill be read a third time, as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Harris, Harrison, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Stapp, Vandeventer, Waters, Willbanks, and Wynne—30.

Those who voted in the negative, are,

Messrs. Baker, Fithian, Johnson, Killpatrick, Smith, Warren, and Worthington—7.

On motion,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and

On the question—"Shall said bill pass, as amended?"

It was decided in the affirmative.

Those voting in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Harris, Harrison, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Stapp, Vandeventer, Waters, and Willbanks—31.

Those voting in the negative, are,

Messrs. Baker, Fithian, Johnson, Killpatrick, Smith, Warren, Worthington, and Wynne—8.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Parker, from the select committee to which was referred a bill from the House of Representatives for "An act to establish Cumberland county," reported the same back, without amendment, and recommended its passage.

Ordered that the bill be read a third time.

Mr. Ruggles, from the select committee to which was referred a like bill for "An act for the relief of Henry B. Cone and James W. Noble," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to a third reading,

The order of business was suspended, and said bill read a third time by its title.

On the question—"Shall the bill pass, as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Hoard, Johnson, Killpatrick, Markley, Matteson, Minard, Ralston, Ruggles, Smith, Stapp, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne—26.

Those who voted in the negative, are,

Messrs. Crain, Dougherty, Evans, Harris, James, Leviston, McMurtry, Parker, Parrish, and Slocumb—10.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendment of the Senate.

Mr. Dougherty, from the joint select committee to which was referred the memorial of Charles Macalister, of New York, made report; which was read, and,

On motion of Mr. Davidson,

Laid on the table, with accompanying papers.

On motion of Mr. Davidson,

The order of business was suspended, and a bill for "An act authorizing settlement with Macalister & Stebbins, and further to diminish the State debt," was taken from the table; whereupon,

On motion of Mr. Cavarly,

Said bill was amended by adding the following:

"**SEC. 4.** That the first, second, fourth, fifth, sixth, and seventh, sections

of an act entitled "An act to provide for the payment of interest on the public debt," approved February 27, 1841, be and the same are hereby repealed, and,

On motion of Mr. Cavarly,

Said bill was further amended by adding to the third section thereof, the following:

"*Provided* that the amount to be allowed under the provisions of this act shall not exceed the sum of two hundred and sixty-one thousand, five hundred and sixty dollars, besides interest."

On motion of Mr. Davidson,

Said bill was referred to a select committee of five.

Ordered, That Messrs. Davidson, Dougherty, Smith, Cavarly, and Harris be that committee.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles:

"An act concerning the revenue;"

"An act authorizing Vermilion and Iroquois counties to sell certain lands, and make certain payments to Champaign county, and for other purposes;"

"An act in relation to judgments and executions;"

"An act to locate a State road therein named;"

"An act for the regulating of county treasuries and county funds;"

"An act for the relief of Abram J. Vandegrift and others."

On motion of Mr. Killpatrick,

A bill for "An act to incorporate the town of Winchester, in Scott county," was taken up, and the amendment made thereto, by the House of Representatives, concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Matteson, from the select committee to which was referred a bill for "An act to attach part of the county of La Salle to the county of Marshall," reported the same back, with an amendment.

On motion of Mr. Killpatrick,

The vote taken on yesterday, by which the Senate refused to pass a grossed bill for "An act to authorize the county commissioners' court of Warren county to pay out certain bank bills at their current value," was re-considered.

Mr. Hoard moved that the Senate adjourn to 7 o'clock, P. M.

On motion of Mr. Stapp,

The Senate adjourned.

MONDAY, FEBRUARY 27, 1843.

Senate met pursuant to adjournment.

Mr. Davis moved moved that the order of business be suspended, to enable him to offer an order for adoption.

Mr. Fithian moved a call of the Senate; which progressed.

On motion of Mr. Parker,

The bill from the House of Representatives for "An act to establish

umberland county," was taken up during the pendency of the call of the Senate, read a third time by its title, and passed; also,

On motion of Mr. Markley,

A like bill for "An act to amend 'An act declaring Spoon river a navigable stream,' " was taken up, read, and

Ordered to a second reading, and,

On the further motion of Mr. Markley,

The rule was dispensed with, and said bill read a second time by its title, and,

Ordered to a third reading.

The rule having been further dispensed with, the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Davis,

Further proceedings under the call of the Senate were dispensed with. The question was then taken on the motion of Mr. Davis to suspend the order of business, and decided in the affirmative.

On motion of Mr. Davis,

Ordered, That the Secretary of the Senate return to the House of Representatives a bill for "An act for the benefit of the county of Marquette, and for other purposes," agreeably to a resolution of the House.

On motion of Mr. Parker,

The order of business was suspended, and a bill from the House of Representatives for "An act to regulate the times of holding circuit courts in the fourth judicial circuit," was taken up, read a first time by its title, and

Ordered to a second reading, and

On motion of Mr. McMurtry,

read a second time by its title, the rule having been dispensed with, and,

On motion of Mr. Parker,

referred to a select committee.

Ordered, That Messrs. Parker, Nunally, and Houston be that committee.

Mr. Matteson, from the committee on Finance, to which was referred a bill from the House of Representatives for "An act to abolish the office of Fund Commissioner, and for other purposes therein named," together with a communication from the Governor on the same subject as the bill, reported the said bill back, with an amendment; which was concurred in, the bill as amended,

Ordered to a third reading.

On motion of Mr. Matteson,

the rule was dispensed with, and said bill read a third time, and passed.

Mr. Killpatrick moved that the bill be further amended by adding thereto the following:

Sec. 2. That the Fund Commissioner of this State is hereby required to pay over to the Treasurer of the State forthwith, all the moneys he may have received, and now holds in his possession, as Fund Commissioner of the State of Illinois, and the Treasurer shall receipt for the same."

On motion of Mr. Warren,

the previous question was put, and decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Killpatrick, and decided in the affirmative.

The question was then taken on the passage of the bill, as amended and decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments of the Senate.

Mr. Leviston, from the committee on Internal Improvements, to which was referred the petition of the contractors and laborers upon the Illinois and Rock River Railroad, reported the same back to the Senate, and obtained a discharge from the further consideration thereof.

On motion of McMurtry,

The petition was laid on the table.

Mr. Leviston, from the same committee, to which was referred a bill for "An act to provide for the division of Coles county," reported the same back to the Senate, and recommended its rejection.

On motion of Mr. Harris,

Said bill was laid on the table until the 4th of July next.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Davis, Evans, Harris, Housh, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Slocumb, Stapp, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Davidson, Dougherty, Feaman, Fithian, Harrison, Johnson, Killpatrick, Ruggles, Smith, Thompson, Vandevest, Warren, Waters, and Worthington—16.

A message from the House of Representatives, by Mr. Ewing, their Clerk,

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles:

"An act to provide for the allowing and payment of interest on money due the contractors on the Illinois and Michigan Canal;"

"An act to authorize the owners of real estate in the corporation of Lynnvile to vote for purposes therein named;"

"An act to declare the Snicarty a navigable stream;"

"An act supplemental to an act entitled 'An act to open a new street in the city of Chicago, and for other purposes,' " and

"An act to incorporate the Dixon Bridge Company."

In the passage of which they ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the passage of a bill for "An act to incorporate the city of Peoria," and amendments, in which they ask the concurrence of the Senate.

They have refused to order to a third reading Senate bill for "An act to amend the 'Act regulating the interest on money,' approved February 28, 1833," and to amend the "Act making provisions for organizing and maintaining common schools," approved 26th February, 1841.

Mr. Nunnally, from the committee on Enrolled Bills, reported, and directly enrolled and laid before the Council of Revision, a bill for "An act to incorporate the town of Winchester, in Scott county."

Mr. Davis, from the committee on the Judiciary, to which was referred a bill for "An act to amend 'An act to incorporate the city of Nauvoo,"

force February 1, 1841," reported the same back to the Senate, with an amendment.

Mr. Killpatrick moved to amend the amendment, reported by the committee on the Judiciary, by striking it out and inserting the following in lieu thereof:

"That the twenty-fifth section of 'An act to incorporate the city of Nauvoo,' approved December 16, 1840, is hereby repealed, nor shall the mayor or city council enact any by-laws, or ordinances, contrary to the laws or constitution of this State; nor shall the boundaries of the city of Nauvoo extend beyond the present recorded limits of said city; any thing to the contrary in the act to incorporate the city of Nauvoo to the contrary notwithstanding."

Mr. Baker called for a division of the question, so as to take the vote separately on each of the three branches of the amendment to the amendment.

The question was then taken on the adoption of that part of the amendment to the amendment, proposing to repeal the twenty-fifth section aforesaid, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Cullom, Dougherty, Evans, Fithian, Johnson, Killpatrick, Leviston, Markley, McMurtry, Parker, Ruggles, Scumb, Smith, Thompson, Warren, Waters, and Willbanks—20.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Davis, Feaman, Harrison, Hoard, Matteson, Minard, Vandeventer, and Worthington—11.

The question was then taken on the adoption of that part of the amendment to the amendment, relating to the enactment of by-laws, &c., by the mayor and city council of Nauvoo, and decided in the affirmative.

The question was then taken on the adoption of that part relating to the boundaries of Nauvoo, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Catlin, Crain, Cullom, Dougherty, Evans, Fithian, Harris, Hoard, Johnson, Killpatrick, Leviston, Markley, McMurtry, Parker, Scumb, Smith, Thompson, Vandeventer, Warren, Waters, and Willbanks—21.

Those voting in the negative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Davis, Feaman, Harrison, Matteson, Minard, Ruggles, and Worthington—11.

Mr. Crain moved to amend the amendment, as amended, by adding hereto the following:

"Sec. The Governor is hereby required to call on Joseph Smith to deliver to the State all the State arms which he may have received therefrom, without delay;" which was,

On motion of Mr. Baker,

Laid on the table.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cullom, Davis, Feaman, Harrison, Henry, Hoard, Killpatrick, Matteson, McMurtry, Minard, Ruggles, Thompson, Vandeventer, Willbanks, and Worthington—19.

Those who voted in the negative, are,

Messrs. Cavarly, Crain, Dougherty, Evans, Fithian, Harris, Johnson

Markley, Nunnally, Parker, Slocumb, Smith, Warren, and Waters—14.

Mr. Davis moved to amend the amendment, as amended, by striking all of the same out after the word "that," in the first line, and adopting the following in lieu of the part stricken out:

"An act to incorporate the city of Nauvoo," approved December 16 1840; be and the same are hereby repealed."

Mr. Worthington moved the previous question; which was put and decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Davis, to the amendment, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Crain, Davis, Dougherty, Evans, Feaman, Harris, Harrison, Hoard, Johnson, Markley, Matteson, McMurry, Minard, Nunnally, Ruggles, Slocumb, Vandeventer, Warren, Waters, and Willbanks—23.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Cullom, Fithian, Henry, Killpatrick, Parker, Smith, Stapp, Thompson, and Worthington—11.

The question was then taken on the adoption of the amendment, as amended, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Crain, Davis, Dougherty, Evans, Feaman, Harris, Harrison, Hoard, Johnson, Loviston, Markley, Matteson, Minard, Nunnally, Ruggles, Slocumb, Vandeventer, Warren, Waters, and Willbanks—22.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Cullom, Fithian, Henry, Killpatrick, McMurry, Parker, Smith, Stapp, Thompson, and Worthington—12.

The question was then put—"Shall the bill, as amended, be engrossed and read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Crain, Davis, Dougherty, Evans, Feaman, Harris, Harrison, Hoard, Johnson, Leviston, Markley, Minard, Nunnally, Parrish, Ruggles, Slocumb, Warren, Waters, and Willbanks—22.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Cullom, Fithian, Henry, Killpatrick, Matteson, McMurry, Parker, Smith, Stapp, Thompson, Vandeventer, and Worthington—14.

Mr. Harrison, from the committee on Internal Navigation, to which was referred a bill from the House of Representatives for "An act to improve the navigation of the rapids in Rock river, at Rockford, in the county of Winnebago, and to incorporate the Rockford Hydraulic and Manufacturing Company," reported the same back, without amendment.

Ordered that said bill be read a third time.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act to establish a Surveyor General's office," reported the same back, without amendment, and obtained a discharge from its further consideration.

On motion of Mr. Matteson,

Said bill was laid on the table.

Mr. Crain, from the select committee to which was referred a bill for "An act in relation to sixteenth sections," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

Mr. Crain moved that the rule be dispensed with, and said bill read now a third time by its title; which was not agreed to.

On motion of Mr. Cavarly,

The order of business was suspended, and a bill from the House of Representatives for "An act to reduce the number of officers upon the Illinois and Michigan Canal," was taken up, read a first time, and

Ordered to a second reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Harris,

Referred to a select committee of five.

Ordered, That Messrs. Harris, Hoard, Cavarly, Matteson, and Cullom be that committee.

Mr. Crain, from the select committee to which was referred a bill from the House of Representatives for "An act supplemental to 'An act concerning estrays,' in force February 9, 1835," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to a third reading.

Mr. Harris, from the select committee to which was referred a bill from the House of Representatives for "An act to re-locate a certain State road," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Harrison,

The vote taken on this forenoon, on ordering to a third reading a bill for "An act to improve the navigation of the rapids in Rock river at Rockford, in the county of Winnebago, and to incorporate the Rockford Hydraulic and Manufacturing Company," was re-considered.

On motion of Mr. Harrison,

The bill was amended by adding the following to the twenty-ninth section:

"In proportion to the amount of stock they may severally hold."

Ordered that said bill, as amended, be read a third time.

On motion of Mr. Ruggles,

The rule of the Senate was dispensed with, and said bill was read a third time by its title and passed, as amended.

Ordered, That the title be as aforesaid, and that the Secretary inform

the House of Representatives thereof, and ask their concurrence in the Senate's amendment to said bill.

On motion of Mr. Stapp,

The vote taken on this morning, on laying on the table until the fourth day of July next a bill for "An act to provide for the division of Cole county," was re-considered.

On motion of Mr. Fithian,

Said bill was referred to a select committee of five.

Ordered, That Messrs. Fithian, Parrish, Cavarly, Barnett, and Harris be that committee.

A message from the Governor, by Mr. Trumbull, Secretary of State.

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Speaker laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
Springfield, Feb. 27, 1843.

To the Honorable the Senate:

I have the honor to transmit to the Senate the enclosed resignation of James Shields, Esq. of the office of Auditor of Public Accounts.

THOMAS FORD.

On motion of Mr. McMurtry,

The communication was laid on the table.

A bill from the House of Representatives for "An act to change the name of the town of Georgetown, in Kendall county," was read a third time and passed:

Bills from the House of Representatives of the following titles were severally read a third time and passed:

"An act authorizing the building a bridge across Rock river," and

"An act to attach part of the county of La Salle to the county of Marshall."

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Parker, from the select committee to which was referred a House bill for "An act to fix the times of holding circuit courts in the fourth judicial circuit," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Parker,

The rule was dispensed with, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bills of the following titles were severally read a first and second times, and ordered to a third reading:

"An act to authorize the county commissioners of Fulton county to collect certain moneys therein named;"

"An act to permanently locate the county seat of Woodford county;"

"An act to repeal the ninth section of 'An act for the formation of the county of Woodford;'"

"An act to authorize Isaac Gordon to build a mill-dam;"

"An act to authorize S. Copeland to establish a ferry across the Ohio river, in Massac county;"

"An act to locate the permanent seat of justice," and

"An act in relation to the county of Adams."

On motion,

The rule of the Senate was further dispensed with, and said bills read a third time by their titles and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills.

A bill from the House of Representatives for "Act to authorize Price H. Howell and John Hodgson to build a mill-dam," was read a first time, and

Ordered to a second reading.

A bill for "An act to extend the time for the completion of Illinois and Rock River Railroad Company," was read a first time, and

Ordered to a second reading.

A bill from the House of Representatives for "An act authorizing an additional justice of the peace and constable in Middletown precinct, in McDonough county," as amended by the Senate, the House having refused to concur with the Senate in its amendment to said bill.

On motion of Mr. Stapp,

Said bill was referred to a select committee.

Ordered, That Messrs. Stapp, McMurtry, and Thompson be that committee.

Bills from the House of Representatives of the following titles were severally read a first time, and ordered to a second reading:

"An act to locate a State road from Lewiston, in Fulton county, to McNmouth, in Warren county;"

"An act for the relief of the collector of Pope county;"

"An act to authorize the county commissioners of Jackson county to borrow money for certain purposes therein named;"

"An act regulating election precincts in the city of Chicago," and

"An act to change the name of the person therein named."

On motion,

The rule of the Senate was dispensed with, and said bills were read a second time by their titles, and

Ordered to a third reading.

On motion,

The rule of the Senate was further dispensed with, and said bills were read a third time by their titles and passed.

Ordered, That titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills.

House bill for "An act to define the boundary lines of Menard county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Wynne,

The rule of the Senate was dispensed with, and the bill was referred to the committee on Counties.

House bill for "An act declaring a certain road therein named a State road, and for locating a State road from the east line of Mercer county to the town of Millersburg, in said county," and

House bill for "An act concerning certain sales of school lands in Effingham county," were read a first time, and

Ordered to a second reading.

A House bill for "An act to incorporate the town of Macedonia, in Hancock county, and for other purposes," was read a first time, and

Ordered to a second reading.

A Senate bill for "An act to permanently locate the seat of justice of the county of Whiteside," as amended by the House of Representatives, was taken up, and the amendment concurred in by the Senate.

Ordered, That the Secretary inform the House of Representatives thereof.

A House bill for "An act for the relief of the collector of Du Page county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Matteson,

The rule was further dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A House bill for "An act making partial change in the appropriation of the saline lands to the counties of Clay and Richland," was read a first time, and

Ordered to a third reading.

On motion of Mr. Evans,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

On motion of Mr. Cavarly,

Referred to the committee on Salines and Saline Lands.

A House bill for "An act for the purposes therein named," was read a first time, and

Ordered to a second reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, and said bill was read a second time by its title, and

On motion of Mr. Stapp,

Referred to the committee on Finance.

"A bill for "An act to legalize the assessment of property in the counties of Iroquois and Will," and

A bill for "An act to amend an act entitled 'An act to authorize the supervisor of the village of Cahokia to lease part of the commons appertaining to the village of Cahokia,'" were severally read a first time, and

Ordered to a second reading.

On motion,

The rules were dispensed with, and said bills read a second time by their titles.

Ordered to a third reading, and

The rule having been further dispensed with, on motion, were read a third time by their titles and passed.

Ordered, That their titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act to change the name of a town, and for other purposes," and

A bill for "An act to incorporate the Tazewell County Farmers' and Mechanics' Company," were severally read a first time, and

Ordered to a second reading.

On motion,

The rules were dispensed with, and said bills read a second time by their titles, and

Ordered to a third reading.

A bill for "An act to provide for the final settlement between the State House Commissioners and the State," was read a first time and

Ordered to a second reading.

On motion of Mr. Baker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

Mr. Parrish moved to amend the first section by striking out the fifth, sixth, and first words of the seventh line, and insert in lieu thereof the words, "Auditor, Treasurer, and Secretary of State."

On motion of Mr. Ralston,

The bill and amendment were indefinitely postponed.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Evans, Feaman, Harris, Hoard, Levison, Markley, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Vanleverter, Warren, and Willbanks—18.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davidson, Dougherty, Fithian, Henry, Johnson, Killpatrick, Matteson, McMurtry, Ruggles, Smith, Tapp, Thompson, and Worthington—17.

A bill for "An act to repeal the twenty-first section of an act entitled An act to amend the incorporated powers of the town of Pekin, and to provide for the election of an additional justice of the peace and constable in the Pekin precinct," was read, and

Ordered to a second reading,

On motion of Mr. Cullom,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading, and

The rule having been further dispensed with, said bill was read a third time by its title and passed.

A bill for "An act to incorporate the Coltonville Steam and Hydraulic Manufacturing Company," was read, and

Ordered to a second reading.

On motion of Mr. Minard,

The rule was dispensed with, and said bill read a second time by its title.

On motion of Mr. Markley,

Said bill was amended by adding thereto the following:

"Sec. 10. The stockholders in said company shall be liable individually for any deficit that may arise in the liquidation of the liabilities of said company, in proportion to the amount of stock that each may hold after the assets of said company are exhausted."

Ordered that said bill, as amended, be read a third time.

On motion of Mr. Minard,

The rule was dispensed with, and the bill was read a third time by its title and passed as amended.

A bill for "An act in relation to the taxes of Fulton county for the year 1839," was read, and

Ordered to a second reading.

On motion of Mr. Markley,

The rules were dispensed with and the said bill was read a second and third times by its title and passed.

A bill for "An act for the settlement of the accounts of James W. Barret," was read, and

Ordered to a second reading.

On motion of Mr. Smith,

The rule was dispensed with and said bill read a second time by its title and,

On motion of Mr. Harris,

Referred to the committee on Finance.

A resolution adopted by the House of Representatives, requiring John D. Whiteside, Fund Commissioner, and James W. Barret, late agent of former Fund Commissioner, to pay certain moneys into the State treasury, was read, and,

On motion of Mr. Stapp,

Laid on the table.

On motion of Mr. Wynne,

The order of business was suspended to enable him to offer the following resolution:

Resolved by the Senate, the House of Representatives concurring hereto That the two Houses of the General Assembly will meet in the Hall of the House of Representatives, on Thursday next, at 7 o'clock, P. M. for the purpose of electing an Auditor of Public Accounts, in place of James Shields, resigned.

On motion of Mr. Wynne,

The rule was dispensed with, and said resolution considered, and on the question of its adoption,

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Minard,

The vote just taken upon the indefinite postponement of a bill for "An act to provide for a final settlement between the State House commi-

ioners and the State," as proposed to be amended by Mr. Parrish, was reconsidered.

Mr. Crain moved a call of the Senate; which proceeded for some time, and was, on motion, dispensed with.

Mr. Minard moved that the bill be referred to a select committee.

Mr. Davis moved the previous question; which was put, and decided in the affirmative.

On the question—"Shall the bill and amendment be indefinitely postponed?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Cullom, Evans, Feaman, Harris, Leviston, Nunnally, Parrish, Ralston, Vandeventer, Warren, and Willbanks—14.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Davidson, Davis, Dougherty, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Minard, Parker, Ruggles, Slocumb, Smith, Stapp, Thompson, Waters, Worthington, and Wynne—22.

Mr. Nunnally moved that the Senate adjourn; which was not agreed to. The question was then taken on the adoption of the amendment proposed by Mr. Parrish to said bill, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Dougherty, Evans, Feaman, Harris, Hoard, Leviston, Markley, McMurtry, Minard, Parker, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, Willbanks, and Wynne—21.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, Smith, Stapp, Waters, and Worthington—15.

The question was then put—"Shall the bill, as amended, be ordered to a third reading?" and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Davidson, Davis, Dougherty, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Minard, Parker, Parrish, Ruggles, Smith, Stapp, Thompson, Waters, and Worthington—20.

Those who voted in the negative, are,

Messrs. Cavarly, Catlin, Crain, Cullom, Evans, Feaman, Harris, Hoard, Leviston, Markley, Ralston, Slocumb, Vandeventer, Warren, Willbanks, and Wynne—16.

A bill for "An act supplemental to an act entitled 'An act to open a street in the city of Chicago, and for other purposes,'" was read a first time, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a second reading.

The rule having been further dispensed with, it was read a third time by its title and passed.

Ordered, That the title be as aforesaid and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Ames, a member:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House concurred with them in their amendment to a bill for "An act to define the bounds of Boone county."

On motion of Mr. Baker,

The order of business was suspended, and a bill for "An act appropriating certain property to the payment of the State debt," was taken from the table and referred to the committee on Finance.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act making appropriations for the years 1843 and 1844."

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in their amendments to a bill for "An act to improve the navigation of the rapids of Rock river at Rockford, in the county of Winnebago, and to incorporate the Rockford Hydraulic and Manufacturing Company."

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 28, 1843.

Senate met pursuant to adjournment.

Mr. Cavarly moved a call of the Senate; which proceeded.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred in the Senate's amendments to a bill for "An act to appoint a board of auditors to settle the accounts of Richard F. Barret, late Fund Commissioner."

The House of Representatives have adopted the accompanying resolution, authorizing the Governor and Auditor to settle with John D. Whiteside, Fund Commissioner; in which they ask the concurrence of the Senate.

They have also passed bills of the following titles, in which they ask the concurrence of the Senate:

"An act to compile and publish in one volume the laws of Illinois;"

"An act for the relief of the school commissioner of Pope county;"

"An in relation to common schools."

On motion of Mr. Davis,

The order of business was suspended, and a bill for "An act to incorporate the town of Macedonia, in Hancock county, and for other purposes," was taken up, and read a second time by its title.

Mr. Crain moved to amend said bill by adding thereto the following:

"SEC. That the eleventh, twelfth, thirteenth, and twenty-fifth sections; also, the last sentence in the proviso to the seventh section of "An act to incorporate the city of Nauvoo," approved December 16th, 1840, are severally and hereby repealed, and the Governor is hereby required to call

upon Joseph Smith to re-deliver to the State all the public arms that he has received from the State.

Mr. Cavarly moved that the amendment be laid on the table.

On motion of Mr. Davis,

Further proceedings under the call of the Senate were dispensed with. The question was then taken on laying the amendment on the table, and decided in the affirmative.

Those who voted in the affirmative, are,
Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davis, Feaman, Harrison, Matteson, McMurtry, Minard, Parker, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Worthington—20.

Those who voted in the negative, are,
Messrs. Catlin, Crain, Evans, Fithian, Henry, Johnson, Markley, Warren, Waters, Willbanks, and Wynne—11.

Ordered that said bill be read a third time.

On motion of Mr. Davis,

The rule was dispensed with, and said bill was read a third time by title, and

On the question—"Shall said bill pass?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Davis, Feaman, Fithian, Harrison, Henry, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, and Worthington—21.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Evans, Johnson, Nunnally, Warren, Waters, and Willbanks—8.

Mr. Matteson, from the committee on Finance, to which was referred the petition of Thomas Drum and accompanying papers, reported the same back, and obtained a discharge from their further consideration, and the same were,

On motion of Mr. Harrison,

Referred to a select committee.

Ordered, That Messrs. Harrison, Stapp, and Ruggles be that committee.

Mr. Harrison, from the committee on Internal Navigation, to which was referred a bill from the House of Representatives for "An act to authorize the building of a bridge over the Pekatonica river, in Stephenson county," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Harrison,

The rule was dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of the bill.

Mr. Slocumb, from the committee on Salines and Saline Lands, to which was referred a report of the Treasurer in relation to the lessee of the Gallatin salines, and which had had under consideration a resolution on the same subject, made report, and obtained a discharge from their further consideration.

On motion of Mr. Cavalry,

The reports and resolution were laid on the table.

Mr. Leviston, from the committee on Internal Improvements, to which was referred sundry petitions and remonstrances upon the subject of dams and sloughs near Rock river, made report, and obtained a discharge from the further consideration of the subject; which report was read, and together with the petitions and remonstrances,

On motion of Mr. Warren,

Laid on the table.

Mr. Matteson, from the committee on Finances, to which was referred a bill for "An act for the purposes therein named," reported the same back, with an amendment, which was concurred in, and the bill, as amended,

Ordered to a third reading.

On motion of Mr. Matteson,

The rule was dispensed with, and said bill read a third time, as amended.

Mr. McMurtry moved that the bill laid on the table until the 4th of July next; which was not agreed to.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Mr. Davidson, from the select committee to which was referred a bill for "An act to authorize a settlement with Macalister and Stebbins, and further to diminish the State debt," reported the same back, with an amendment, which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Cavarly,

The rule was dispensed with, and said bill read a third time by its title.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Cullom, Davidson, Evans, Feaman, Fithian, Harris, Harrison, Henry, Killpatrick, Markley, Matteson, McMurtry, Ralston, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, Worthington, and Wynne—25.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Johnson, Nunnally, and Willbanks—5.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for "An act to confine justices of the peace to their respective districts," with an amendment to said bill, made by the House of Representatives, reported the same back, with an amendment to the amendment which was concurred in.

Ordered, That the Secretary ask the concurrence of the House of Representatives in the amendment to the amendment.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have rejected "An act to incorporate the town of Winchester, in Scott county," and ordered the same to be returned to Senate, in which it originated, with the following objections:

The Council of Revision have had under consideration an act entitled "An act to incorporate the town of Winchester, in Scott county," and re-

turn the same to the Senate, in which it originated, as improper to become a law for the following reasons:

It is a charter of incorporation for a town, and grants to the trustees an indefinite power to do and perform all acts which may be done or performed by natural persons.

It makes the boundaries of the town one mile square, measuring each way from the centre of the public square; thereby including, as we are informed and believe, a large quantity of land which has never been laid out into town lots, but which is in cultivated farms adjoining the town. In addition to which it give the corporation power to tax such lands for town purposes, and authorizes the trustees to open and widen streets; thereby giving the corporation power to invade and cut up into town property adjoining farms against the will of the owner. We conceive that it is no good answer to this objection, that the act is of no obligation, unless accepted by two-thirds of the legal voters residing within the limits. As a matter of course the principal part of the voters will reside in the village and will have the power to completely drown the voice of the few sparse settlers on the borders of the town. The act also confers power on the trustees to make regulations to prevent horses, sheep, cattle, swine, and dogs, from running at large; which power may be made to operate peculiarly hard upon the adjoining farmers included in the town.

For these reasons and for others, assigned by the council for objecting to the act to incorporate the city of Metropolis, many of which apply to the present act, we return it to the Senate for re-consideration.

THOMAS FORD,
SAMUEL H. TREAT,
S. A. DOUGLASS,
WM. WILSON,
JAMES SEMPLE,
J. D. CATON.

Mr. Killpatrick, from the committee on Counties, to which was referred a bill from the House of Representatives for "An act to define the boundary lines of Menard county," reported the same back, without amendment.

Mr. Vandeventer moved that the bill be referred to a select committee.

On motion of Mr. Killpatrick,

The bill was again referred to the committee on Counties.

Mr. Ralston, from the select committee to which was referred a bill from the House of Representatives for "An act granting to the city of Quincy the right of way upon that portion of the Northern Cross railroad, lying within its limits," reported the same back, with an amendment proposing to add three sections to the bill.

On the question—"Will the Senate concur with the committee in the amendment reported by them?"

It was decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Davidson, Davis, Evans, Feaman, Harrison, Henry, Johnson, Matteson, McMurtry, Minard, Nunnally, Ralston, Slocumb, Vandeventer, Warren, Waters, Worthington, and Wynne—18.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Crain, Cullom, Fithian, Harris, Killpatrick, Markley, Parker, Smith, Stapp, and Thompson—14.

Ordered, that said bill be read a third time as amended.

Mr. Fithian, from the select committee to which was referred a bill for "An act to provide for the division of Coles county," reported the same back, with amendments.

Mr. Vandevanter moved a call of the Senate; which proceeded.

Mr. Crain, during the pendency of the call, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, a bill for "An act to permanently locate the seat of justice of the county of Whiteside."

Mr. Markley, also, during the pendency of the call of the Senate, from the select committee to which was referred a blank bill for "An act to change the times of holding courts in the fifth judicial circuit," reported the same back, with an amendment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of a bill for "An act in relation to the Penitentiary."

On motion of Mr. Fithian,

Further proceedings under the call of the Senate were dispensed with.

The question now being upon concurring with the select committee in their amendment to a bill for "An act to provide for the division of Coles county," that question was put, and decided in the affirmative.

Mr. Warren moved to add the following proviso to the second section of the bill, as amended:

"*Provided*, that the Legislature hereby reserves the right to amend, alter, or modify, this charter, and all other charters granted by this General Assembly."

Mr. Hoard moved to amend the proviso by striking out all after the word "charter;" and the question being taken thereon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Cullom, Davidson, Davis, Dougherty, Harrison, Hoard, Matteson, and McMurtry—8.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Evans, Feaman, Fithian, Harris, Henry, James, Johnson, Killpatrick, Leviston, Markley, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandevanter, Warren, Waters, Willbanks, Worthington, and Wynne—29.

Mr. Baker moved to amend the proviso, offered by Mr. Warren, by inserting between the words "to" and "amend," the word "repeal."

Mr. Baker moved the previous question; which was put, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Hoard, James, Killpatrick, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Smith, Slocumb, Thompson, Warren, Waters, Willbanks, Worthington, and Wynne—27.

Those who voted in the negative, are,

Messrs. Cavarly, Crain, Evans, Harris, Henry, Johnson, Parrish, Ralston, Ruggles, and Vandeverter—10.

The question was then taken on the amendment proposed by Mr. Baker, to the proviso, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Crain, Cullom, Dougherty, Evans, Harris, Hoard, James, Leviston, Markley, McMurtry, Minard, Nunnally, Parrish, Ralston, Thompson, Vandeverter, Warren, Waters, Willbanks, Worthington, and Wynne—23.

Those who voted in the negative, are,

Messrs. Buford, Cavarly, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Johnson, Killpatrick, Matteson, Parker, Ruggles, Slocumb, and Smith—15.

And, on the question of the adoption of the proviso, as amended, It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Evans, Harris, James, Leviston, Markley, Minard, Nunnally, Parrish, Ralston, Warren, Waters, Willbanks, and Wynne—16.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Matteson, McMurtry, Parker, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeverter, and Worthington—23.

The question was then taken on ordering the bill under consideration to be engrossed for third reading, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Feaman, Fithian, Harrison, Henry, Johnson, Killpatrick, Parker, Ruggles, Slocumb, Smith, Vandeverter, Warren, Waters, and Worthington—19.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Evans, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parrish, Ralston, Thompson, Willbanks, and Wynne—18.

Mr. Harris, from the select committee to which was referred a bill from the House of Representatives for "An act to reduce the number of officers on the Illinois and Michigan canal," reported the same back, without amendment, and recommended its passage.

Mr. Ralston moved to strike out the third section of the bill.

Mr. Baker moved the previous question; which was put, and decided in the affirmative.

The question was then taken on striking out the third section, and decided in the affirmative, as follows:

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Crain, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, James, Johnson, Leviston, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeverter, Warren, Waters, Willbanks, Worthington, and Wynne—32.

Those who voted in the negative, are,
Messrs. Baker, Cavarly, Cullom, Henry, Hoard, and Matteson—6.
Ordered that said bill be read a third time, as amended.

On motion of Mr. Davidson,

The rule was dispensed with, and said bill read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the Senate's amendment.

On motion of Mr. Davidson,

The order of business was suspended, and a bill from the House of Representatives for "An act making appropriations," was taken up, read a first time by its title, and

Ordered to a second reading.

On motion of Mr. Baker,

The rule was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Davidson,

Referred to the committee on Public Accounts and Expenditures.

Mr. Parker, from the select committee to which was referred a bill for "An act to authorize the county commissioners' court of Jackson county to borrow money," reported the same back to the Senate, with an amendment.

Mr. Smith moved to lay the amendment, reported by the select committee, on the table until the 4th of July next; which was not agreed to.

Mr. Stapp moved to amend the amendment by adding to it the following:

"*Provided*, that hereafter the docket fee in chancery proceedings shall be two dollars and fifty cents, and in civil cases, where the title to lands does not come in question, one dollar and twenty-five cents;" which was agreed to, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Davidson, Evans, Feaman, Fithian, Harris, Henry, Johnson, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Slocumb, Stapp, and Waters—18.

Those who voted in the negative, are,

Messrs. Crain, Cullom, Davis, Hoard, Leviston, Matteson, Ralston, Rugles, Smith, Vandeventer, Warren, and Willbanks—12.

The question was then taken on the adoption of the amendment, as amended, and decided in the affirmative.

Ordered that said bill, as amended, be engrossed for a third reading.

On motion of Mr. Killpatrick,

The order of business was suspended, and a bill for "An act to incorporate the town of Winchester, in Scott county," was taken up, together with the objections of the Council of Revision to the same, and referred to a select committee.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A bill for "An act to repeal the internal improvement system;" was read a third time and passed.

On motion of Mr. Catlin,

The title was amended by striking out all after the word "Act," and insert the following:

"In relation to the assessment of taxes in St. Clair county."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act in relation to the sixteenth section," was read a third time and passed.

On motion of Mr. Crain,

The title of the bill was amended by adding the following:

"Town one south, range one west, in the county of Washington."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act to re-locate a certain State road," was read a third time, and

On the question—"Shall said bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Crain, Davis, Evans, Feaman, Johnson, Levison, Markley, Minard, Parker, Ralston, Thompson, Vandeventer, and Willbanks—15.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Fithian, Harris, Henry, Killpatrick, Matteson, McMurtry, Nunnally, Ruggles, Slocumb, Smith, Stapp, Warren, and Waters—15.

The Chair voted in the affirmative.

On motion of Mr. Ralston,

The title was amended by striking out all after the word "to," and inserting the words "to punish defaulters."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act to improve the navigation of Rock river," was read a third time and passed.

On motion of Mr. Ruggles,

The title of the bill was amended by striking out all after the word "to," and insert the words "incorporate the Grand de Tour Manufacturing Company."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act concerning negroes and mulattoes escaping from their masters." was read a third time, and

On the question—"Shall said bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Cullom, Davis, Dougherty, Evans, Feaman, Harris, Leviston, Markley, Nunnally, Parrish, Ralston, Slocumb, Stapp, Vandeventer, Warren, Waters, and Willbanke—21.

Those who voted in the negative, are,

Messrs. Baker, Fithian, Henry, Hoard, Johnson, Killpatrick, Matteson, McMurtry, Minard, Parker, Ruggles, Smith, and Thompson—13.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

House bill for "An act to establish seven Congressional districts," was read a third time.

On motion of Mr. Vandeventer,

The previous question was put and carried.

On the question—"Shall said bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Crain, Davis, Dougherty, Feaman, Harris, Hoard, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Ruggles, Stapp, Thompson, Vandeventer, Warren, Waters, and Willbanks—22.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Evans, Fithian, Harrison, Johnson, Killpatrick, McMurtry, Parker, Slocumb, and Worthington—11.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have rejected "An act to open a new street in the city of Chicago and for other purposes," and ordered the same to be returned to the Senate, in which it originated, with the following objections:

The Council of Revision have had under consideration an act entitled "An act to open a new street in the city of Chicago and return the same to the Senate, in which it originated, as improper to become a law for the following reasons:

The first section of the act provides that the street known as North Water street, lying between the north branch of the Chicago river and Walcott street, shall be closed and a new street not less than eighty feet wide, parallel with the north line of the present North Water street, shall be opened, the south line of which shall not be less than one hundred feet distant at the nearest point from the Chicago river; and the title to the lots which shall be on the south side of said new street shall be vested in the owners of lots on the north side. The act further provides that the land on the south side of the new street, between that and the river, shall be laid out into lots, and these are the lots which are given to the owners of lots on the north side; probably as a compensation for so much of their lots as have been or shall be taken for the new street.

We have ascertained that the facts of the case are as follows:

This North Water street was laid out by the canal commissioners as a part of the original town of Chicago. It lies on the north side and is

cludes the margin of the Chicago river, running parallel with the river, but on account of some curves in the margin of the stream, the street is wider in some places than in others. It is also ascertained to include a tract of land near the junction of the south and north branches of the river, which has been reserved by the canal commissioners for a steamboat and canal boat basin.

The trustees of the town of Chicago, subsequently, by virtue of an act of the Legislature laid out along the margin of the river, certain lots called wharfing privileges, and leased them for nine hundred and ninety-nine years. These wharfing privileges are a part of the original North Waterstreet, as laid out by the canal commissioners, and would by the terms of this act be conveyed to the owners of lots on the north side of the new street; and also the land reserved to be excavated for a basin would in like manner be required to be laid out into lots, the title to which would be vested in the owners of lots on the opposite side of the street, thereby making it impossible for the State to have a canal and steamboat basin in the city of Chicago without great expense in purchasing property thus improvidently given away.

We have further ascertained that the Chicago river is very narrow, and at this time scarcely wide enough to accommodate the shipping which necessarily comes to the city; and we have every reason to believe that Chicago is destined at no distant day to be a great emporium of trade and shipping for the west, and it must occur, as a matter of necessity, that in a very short time the river must be widened by dredging so as to make room for the great number of boats and ships which must necessarily come into that harbor; and if the shores and streets now on the margin of the river shall be given away as is contemplated by this act, the State or the city will be compelled at no distant day to re-purchase it at a great price for the public accommodation. For which reason, and for others apparent on the face of the act, we respectfully return it to the Senate for reconsideration.

S. A. DOUGLASS,
SAM'L D. LOCKWOOD,
SAM'L H. TREAT,
WM. WILSON,
J. D. CATON,
JAMES SEMPLE,
WALTER B. SCATES.

Bills of the following titles were severally read a third time and passed:

A bill for "An act to incorporate the Tazewell county Farmers' and Mechanics' Company," and

"An act to change the name of a town and for other purposes."

Ordered, That their titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act to provide for a final settlement between the State House commissioners and the State," was read a third time, as amended, and

On the question—"Shall said bill pass, as amended?"

It was decided in the negative.

Those who voted in the affirmative, are,
Messrs. Baker, Buford, Davidson, Davis, Dougherty, Fithian, Harrison, Johnson, Killpatrick, Matteson, McMurtry, Minard, Ruggles, Smith, Stapp, Waters, and Worthington—17.

Those who voted in the negative, are,
Messrs. Catlin, Cavarly, Crain, Evans, Feaman, Harris, Hoard, Leviston, Markley, Nunnally, Parker, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, and Willbanks—18.

Ordered, That the Secretary inform the House of Representatives thereof.

A bill for "An act supplemental to 'An act concerning estrays,' in force February 9, 1835," was read a third time, and

On the question—"Shall said bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,
Messrs. Buford, Catlin, Crain, Cullom, Davidson, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, Hoard, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Ralston, Smith, Stapp, Thompson, Warren, Waters, Willbanks, and Worthington—28.

Those who voted in the negative, are,
Messrs. Cavarly, Killpatrick, Parrish, Ruggles, Slocumb, and Vandeventer—6.

Ordered, That the title be as aforesaid and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment to said bill.

House bill for "An act to encourage the growth of wool and for the protection of sheep," was read a second time.

On motion of Mr. Warren,

The bill was amended by adding after the word "dogs," wherever it occurs in the bill, the words "slut or sluts."

Mr. Stapp moved to amend the bill by striking out "1843," and inserting in lieu thereof "1900."

Mr. McMurtry moved to lay the bill and proposed amendment on the table; which was not agreed to.

The question was then taken on the adoption of the amendment offered by Mr. Stapp, and decided in the affirmative.

Mr. Ralston moved to lay the bill and proposed amendment on the table until the 4th of July next; which was not agreed to.

The question was then taken on ordering said bill to a third reading, and decided in the affirmative.

The bill was then read a third time by its title, and

On the question—"Shall said bill pass, as amended?"

It was decided in the negative.

Those who voted in the affirmative, are,
Messrs. Buford, Crain, Davidson, Evans, Feaman, Killpatrick, Leviston, Nunnally, Parker, Slocumb, Stapp, and Worthington—12.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cavarly, Cullom, Davis, Dougherty, Fithian, Harris, Harrison, Hoard, Johnson, Markley, Matteson, McMurtry, Minard, Parrish, Ralston, Ruggles, Smith, Thompson, Vandeventer, Warren, Waters, and Willbanks—24.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Parker,

The vote taken on the passage of a bill for "An act to provide for a final settlement between the State House Commissioners and the State," was re-considered.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Dougherty, Fithian, Harrison, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Parker, Ruggles, Smith, Stapp, Thompson, Waters, and Worthington—21.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Evans, Feaman, Harris, Hoard, Leviston, Nunnally, Parrish, Ralston, Slocumb, Vandeventer, Warren, and Willbanks—15.

Mr. Dougherty moved to amend the bill by adding the following additional section, to wit.

"SEC. 4. That William Kinney shall be allowed and he is hereby authorized to pay into the State treasury the amount of the judgment against him in favor of the State of Illinois in State scrip, without interest, within twelve months from the passage of this act; *Provided*, that this section shall not interfere with any lien the State may have on the lands of said Kinney, until the full amount of his liability shall be paid off as herein provided."

Mr. Hoard moved to amend the amendment by adding the following:

"And that any other defaulter who shall show that he has not been dishonest in the discharge of his duties, but that his defalcation has originated in consequence of his carelessness or incapacity to perform the duties of his office, such defaulter shall be entitled to all the privileges conferred upon Mr. Henry or Mr. Kinney."

Mr. Dougherty moved to lay the amendment to the amendment on the table.

Mr. Nunnally moved to lay the whole subject on the table until the 4th day of July.

On motion of Mr. Baker,

The previous question was put and carried.

The question was then taken on laying the bill and amendments on the table until the 4th day of July next, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Crain, Evans, Harris, Hoard, Leviston, Markley, Nunnally, Parrish, Ralston, Slocumb, Thompson, Vandeventer, Warren, and Willbanks—16.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Johnson, Killpatrick, Matteson, McMurtry, Minard, Parker, Ruggles, Smith, Stapp, Waters, and Worthington—20.

The question was then taken on laying the amendment to the amendment on the table, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Crain, Cullom, Davidson, Dougherty, Evans, Feaman, Fithian, Harrison, Henry, Johnson, Killpatrick, Markley, Mat-

teson, McMurtry, Minard, Nunnally, Parker, Ruggles, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Worthington—27.

Those who voted in the negative, are,

Messrs. Cavarly, Harris, Hoard, Leviston, Parrish, Ralston, Slocumb, and Willbanks—8.

The question was then taken on the amendment to the bill proposed by Mr. Dougherty, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Cavarly, Crain, Davidson, Davis, Dougherty, Evans, Feaman, Harrison, Henry, Killpatrick, Leviston, Matteson, McMurtry, Stapp, Warren, Waters, and Worthington—19.

Those who voted in the negative, are,

Messrs. Cullom, Fithian, Harris, Hoard, Johnson, Markley, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Thompson, Vandeventer, and Willbanks—17.

On the question—"Shall said bill pass, as amended?"

It was decided in the negative.

Those voting in the affirmative, are,

Messrs. Baker, Cullom, Davidson, Dougherty, Feaman, Harrison, Henry, Killpatrick, Matteson, McMurtry, Ruggles, Smith, Stapp, Thompson, Warren, Waters, and Worthington—17.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davis, Evans, Fithian, Harris, Hoard, Johnson, Leviston, Markley, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Vandeventer, and Willbanks—19.

Ordered, That the Secretary inform the House of Representatives thereof.

Bills of the following titles were severally read a second time:

"An act concerning certain sales of school lands in Effingham county;"

"An act to authorize Price H. Howell and John Hodgson to build a mill-dam," and

"An act declaring a certain State road therein named a State road, and for locating a State road from the east line of Mercer county, to the town of Millersburgh, in said county."

Ordered that said bills be read a third time.

On motion,

The rule of the Senate was dispensed with, and said bills were severally read a third time by their titles and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act providing a voluntary mode of registering births and deaths," was read a first time, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles:

A bill for "An act to authorize the sheriff of Shelby county to sell non-resident lands for taxes due for 1841," and

"An act to authorize Alfred Brown, Woster Ives, and their associates, of Whiteside county, to alter or change the channel of Rock creek."

In the passage of which they ask the concurrence of the Senate.

On motion of Mr. Cavarly,

The vote taken on the passage of a bill for "An act to authorize Price H. Howell and John Hodgson to build a mill-dam," was re-considered.

On the question—"Shall said bill pass?"

It was decided in the negative.

Those voting in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cullom, Davidson, Davis, Dougherty, Fithian, Harrison, Johnson, Ruggles, Smith, Waters, and Worthington—14.

Those voting in the negative, are,

Messrs. Evans, Harris, Killpatrick, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Stapp, Thompson, Vandeverter, and Warren—15.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for the formation of the county of Benton, and for other purposes.

In the passage of which they ask the concurrence of the Senate.

A bill for "An act to legalize the recorded plat of school section addition to Chicago, and for other purposes," was read a first time, and

Ordered to a second reading,

On motion of Mr. Hoard,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

On motion of Mr. Hoard,

The 5th section of the bill was amended by striking out the words, the "north-west quarter."

Ordered that said bill be read a third time, as amended.

On motion of Mr. Hoard,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary request the concurrence of the House of Representatives in the Senate's amendments to said bill.

A bill for "An act to provide for the allowance and payment of interest and money due the contractors on the Illinois and Michigan canal," was read a first time, and

Ordered to a second reading.

On motion of Mr. Hoard,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and,

On motion of Mr. McMurtry,

Was referred to the committee on Finance.

A Senate bill for "An act to incorporate the city of Peoria," amended by the House of Representatives, was,

On motion of Mr. Thompson,

Referred to a select committee.

Ordered, That Messrs. Thompson, Minard, and Ruggles be that committee.

Bills of the following titles were severally read a first time:

"An act to incorporate the La Salle County Fire Insurance company;"

"An act to authorize the owners of real estate in the corporation of Lynnvile to vote for the purposes therein named;"

"An act to authorize the school commissioner of La Salle county to dispose of depreciated bank notes belonging to the school fund," and

"An act to locate a State road from La Salle to Inlet Grove."

Ordered that said bills be read a second time.

On motion,

The rule of the Senate was further dispensed with, and said bills read a second time by their titles, and

Ordered to a third reading.

On motion,

The rule was further dispensed with, and said bills read a third time by their titles and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

"A bill relating to the reveue of La Salle county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Davidson,

The bill was laid on the table until the 4th day of July next.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That the Secretary of State be authorized to furnish the binder with paper for fly leaves for book binding.

They have passed a bill for "An act to amend an act entitled 'An act concerning the public revenue,' approved February 26, 1839, and to legalize the assessment of property in the county of La Salle for the year 1841, and to provide a remedy where the certificates of the purchase of land for taxes have been lost."

In the passage of which they ask the concurrence of the Senate.

On motion of Mr. Killpatrick,

The order of business was suspended to enable him to make a report; whereupon,

Mr. Killpatrick, from the select committee to which was referred a bill for "An act to incorporate the town of Winchester, in Scott county," together with the objections of the Council of Revision to the passage of said bill, reported the same back, with an amendment to the bill; which was concurred in.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Thompson, from the select committee to which was referred a bill for "An act to incorporate the city of Peoria," together with the amendments of the House of Representatives to said bill, reported the same back, without amendment, and recommended concurrence with the House amendments to said bill.

On the question—"Will the Senate concur with the House of Representatives in their amendments to the bill?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

WEDNESDAY, MARCH 1, 1843.

Senate met pursuant to adjournment.

Mr. Killpatrick presented the petition of citizens of township thirteen north, range eleven west, praying to be attached to Scott county; which was, without reading, on his motion,

Referred to the committee on Counties.

Mr. Markley, from the select committee to which was referred a bill for "An act to repeal incorporations, and for other purposes," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

A bill for "An act to change the time of holding courts in the fifth judicial circuit," coming up for consideration, with an amendment to an amendment reported by a select committee,

On motion of Mr. McMurtry,

Said bill and amendments were laid on the table.

A bill for "An act to locate a State road," coming up for consideration, as proposed to be amended by the select committee, which had had the bill under consideration, the amendment was concurred in and the bill, as amended,

On motion of Mr. Cavarly,

Referred to the committee on Finance.

Engrossed bill for "An act to authorize the county commissioners' court of Warren county to pay out certain bank bills at their current value," coming up for consideration, and having been three times read,

The question was put—"Shall the bill pass?"

It was decided in the affirmative.

On motion of Mr. Fithian,

The title of said bill was amended by making it read "An act to authorize county commissioners' courts to assess taxes for road purposes."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A bill for "An act reducing the salaries and fees of officers and retrenching the expenses of the State," with amendments, reported by the select

committee to which the bill had been referred, and the question pending thereon being upon the motion of Mr. Warren, that said bill and amendments be indefinitely postponed,

Mr. Warren withdrew his motion.

Mr. Davis moved that the bill and amendments be laid on the table until the fourth of July next.

Mr. Stapp moved the previous question; which was put and decided in the affirmative.

The question was then taken on laying the bill and amendments on the table until the 4th of July next, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, Davidson, Davis, Feaman, Harrison, Hoard, McMurtry, Minard, Parrish, Ralston, Ruggles, Slocumb, Stapp, Thompson, and Waters—15.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Cullom, Dougherty, Evans, Fithian, Harris, Henry, Johnson, Killpairick, Leviston, Markley, Matteson, Nunnally, Parker, Smith, Vandeventer, Warren, Willbanks, and Worthington—20.

Mr. Parker called for a division of the question pending, upon concurring with the committee in their amendments.

The question was then taken on the amendment proposing that the first three sections of the bill be stricken out, and decided in the affirmative.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved a bill of the following title:

“An act to permanently locate the seat of justice of the county of Whiteside.”

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles. In the passage of which they ask the concurrence of the Senate:

“An act for the relief of John Wood;”

“An act to incorporate academies and seminaries of learning;”

“An act to incorporate the Naperville Cemetery Association;”

“An act to amend an act entitled ‘An act to incorporate the town of Ottowa, and for other purposes,’ approved July 21, 1837;”

“An act authorizing an additional justice of the peace and constable in the Fountain Green precinct, in Hancock county;”

“An act to locate a State road from Wm. Brown’s, in St. Clair county, to Nashville, in Washington county;”

“An act to incorporate the Morgan Institute;”

“An act to provide for the equitable adjustment and payment of interest on certain bonds heretofore paid to the contractors on the line of the Illinois and Michigan canal;”

“An act for the relief of John Hodges, William Clap, and other securities of Jesse J. McLenden, former collector of Alexander county;”

“An act to incorporate the Chicago Turnpike Company;”

“An act to compensate Joseph C. Harrison for the apprehension of Thomas Johnston, a fugitive from justice;”

"An act to amend 'An act for the relief of insolvent debtors,' approved January 12, 1829;"

"An act in relation to clerks of circuit courts;"

"An act to exempt the property of colleges and common schools from taxation for a limited period;"

"An act to authorize and direct the Secretary of State to receive and preserve geological specimens, and for other purposes;"

"An act to amend an act entitled 'An act to incorporate the Chicago Hydraulic Company;'"

"An act to amend the act entitled 'An act to incorporate the Illinois Mutual Fire Insurance Company,' approved February 23, 1839;"

"An act to change the name of the town of Bowling Green, in the county of Warren, to that of Berwick;"

"An act in relation to the Kaskaskia and Mississippi Railroad Company;"

"An act to authorize the county commissioners of Stephenson county to assess the rates of toll on a certain bridge therein named;"

"An act to provide for the payment of interest on the school fund in the township therein named;"

"An act to amend an act entitled 'An act regulating mills and millers,' approved February 7, 1827;"

"An act in relation to the specie in the Bank of Illinois at Shawneetown;"

"An act for a State road from Frederickville, in Schuyler county, to Macomb, in McDonough county;"

"An act for the relief of John G. McHatton, late sheriff of Schuyler county, also late sheriff and collector of Schuyler and Erown counties;"

"An act to authorize William T. Ryburn and Byrd T. Ryburn to erect a mill-dam across Big Muddy river;"

"An act supplemental to 'An act creating the county of Massac from Pope and Johnson counties;"

"An act for a State road from David Wright's, in Iroquois county, to Portland, in Cook county;"

"An act concerning attorneys and counsellors at law;"

"An act for the purposes therein named;

"An act to provide for the regulation of the penitentiary;"

"An act to provide for a change and re-location of a part of the Darwin and Charleston turnpike;"

"An act making an addition to the county of Kendall;"

"An act to regulate the mode of holding elections in Kendall county;"

"An act to authorize the building of a bridge across the Sangamon river," and

"An act to amend an act entitled 'An act concerning the public revenue,' approved February 26, 1839, and an act supplemental to said act, approved March 1, 1839."

The House of Representatives have concurred with the Senate in the passage of bills of the following titles, to wit:

"An act concerning corporations;"

"An act to authorize John M. Robinson and others to establish a ferry, and for other purposes;"

"An act to enable Henry Wigginton to establish a ferry on the Illinois river;"

"An act in relation to burying grounds, and church yards, and lands used by literary institutions;"

"An act to authorize John Vanfleet to build a dam across Fox river;"

"An act to correct the record of the plat of the town of Charleston, Peoria county, and to change the name thereof;"

"An act to extend the limits of Bond county;"

"An act to vacate part of a State road in Peoria;"

"An act in relation to the Cumberland road;"

"An act supplemental to 'An act for the sale of certain lots therein named,' approved February 26, 1841," and

"An act to amend an act entitled 'An act for the re-survey of the lower town of Carlyle, in Clinton county.'"

They have concurred with the Senate in the passage of bills of the following titles:

"An act to amend an act entitled 'An act to authorize the sale of saline lands in Bond county,'" and

"An act regulating mill-dams in Vermilion county," as amended by them.

In which amendments they ask the concurrence of the Senate.

The House of Representatives have concurred with them in the passage of the Senate's resolution proposing to go into the election of Auditor of Public Accounts, to fill the vacancy of James Shields, Esq., resigned, at 7 o'clock, P. M.

On motion of Mr. Parker,

The vote just taken on concurring with the select committee in its amendment, as to the first three sections of the bill under consideration, was re-considered.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Cullom, Davidson, Davis, Harrison, Markley, McMurtry, Parker, Ralston, Ruggles, Stapp, Thompson, Vandeventer, Warren, Waters, and Worthington—18.

Those who voted in the negative, are,

Messrs. Dougherty, Evans, Feaman, Fithian, Harris, Henry, Hoard, Johnson, Killpatrick, Leviston, Matteson, Nunnally, Parrish, Slocumb, Smith, and Willbanks—16.

On motion of Mr. Killpatrick,

The vote taken on laying the bill and amendments on the table until the 4th of July next was re-considered.

Those who voted in the affirmative, are,

Messrs. Baker, Catlin, Crain, Cullom, Davidson, Davis, Feaman, Fithian, Hoard, Killpatrick, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Ruggles, Stapp, Vandeventer, Warren, and Waters—22.

Those who voted in the negative, are,

Messrs. Buford, Cavarly, Evans, Harris, Harrison, Henry, Johnson, McMurtry, Parker, Slocumb, Smith, Thompson, Willbanks, and Worthington—14.

The question was then taken on laying the bill and amendments on the table until the 4th of July next, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Catlin, Cullom, Davidson, Davis, Feaman,

Hoard, Killpatrick, Leviston, Matteson, Minard, Parrish, Ralston, Ruggles, Stapp, Vandeventer, and Waters—18.

Those who voted in the negative, are,

Messrs. Cavarly, Crain, Evans, Fithian, Harris, Harrison, Henry, Johnson, Markley, McMurtry, Nunnally, Parker, Slocumb, Smith, Thompson, Warren, Willbanks, and Worthington—18.

The Chair voted in the affirmative.

Mr. Davidson, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives for "An act to establish and maintain common schools," reported the same back, without amendment, and recommended its passage.

Mr. Dougherty moved to lay the bill on the table; which was not agreed to.

Mr. Warren moved that the bill be laid on the table, until the 4th of July next; and the question being taken thereon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Cavarly, Harris, Markley, McMurtry, Nunnally, Parrish, Ralston, Slocumb, Vandeventer, and Warren—10.

Those who voted in the negative, are,

Messrs. Buford, Catlin, Crain, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Leviston, Matteson, Minard, Parker, Ruggles, Smith, Stapp, Thompson, Waters, Willbanks, and Worthington—25.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Mr. McMurtry moved a call of the Senate, which proceeded.

During the pendency of the call, the order of business was suspended, and Mr. Hoard, from the committee on Internal Improvements, to which was referred a bill for "An act to provide for letting the Northern Cross Railroad line, and other railroad lines in this State, to companies," reported the same back to the Senate, with amendments.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act in relation to the county of Cass."

In the passage of which they ask the concurrence of the Senate.

The amendments reported by the committee on Internal Improvements were concurred in.

The question was then taken on ordering the bill to be engrossed for a third reading, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Harrison, Henry, Hoard, Johnson, Killpatrick, Leviston, Matteson, Minard, Parrish, Ruggles, Smith, Thompson, Warren, Waters, and Worthington—25.

Those who voted in the negative, are,
Messrs. Catlin, Cavarly, Fithian, Harris, Markley, McMurtry, Nunnally, Ralston, Slocumb, Stapp, Vandeventer, and Willbanks—12.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House respectfully to request the Honorable the Senate to return to the House a bill for "An act to amend an act entitled 'An act concerning public revenue,' approved February, 1839, and an act supplemental to said act, approved March 1, 1841;" which had been improperly engrossed.

They have passed a bill for "An act for the relief of William Manning, the collector of Shelby county."

In the passage of which they ask the concurrence of the Senate.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled, and laid before the Council of Revision for their approval, a bill for "An act in relation to the penitentiary."

Engrossed bill for "An act authorizing the county commissioners' court of Jackson county to borrow money," was read a third time, and

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Catlin, Cavarly, Crain, Davidson, Dougherty, Evans, Fearman, Fithian, Harrison, Henry, Johnson, Markley, McMurtry, Nunnally, Parker, Parrish, Slocumb, Stapp, Thompson, Warren, Waters, Willbanks, and Worthington—25.

Those who voted in the negative, are,

Messrs. Davis, Harris, Hoard, Killpatrick, Matteson, Minard, Ralston, Ruggles, Smith, and Vandeventer—10.

On motion of Mr. Parrish,

The title of the bill was amended by striking it out and making it read "An act relating to docket fees."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment.

On motion of Mr. Stapp,

The order of business was suspended to enable him to introduce the following order; which was adopted:

Ordered, That the Secretary of the Senate return to the House of Representatives a bill for "An act to amend 'An act concerning the public revenue,' approved February 26, 1839, and the acts supplementary thereto," as requested.

On motion of Mr. Warren,

A bill from the House of Representatives for "An act for the relief of William Manning, the collector of Shelby county," was taken up, read a first time, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with and said bill read a second time by its title, and,

Ordered to a third reading, and

The rule having been further dispensed with,

On motion,

The bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

On motion of Mr. McMurtry,

The order of business was suspended, and a bill for "An act to change the time of holding courts in the fifth judicial circuit," with an amendment, reported to the same by the school committee on yesterday, was taken up, and said amendment amended,

On motion of Mr. Markley,

By striking it out, and inserting the following:

"That hereafter the times of holding courts in the fifth judicial circuit shall be as follows, to wit:

"In the county of Fulton, on the second Mondays of March and August; in the county of McDonough, on the fourth Mondays of March and August; in the county of Schuyler, on the first Mondays of April and September; in the county of Brown, on the second Mondays of April and September; in the county of Adams, on the third Mondays of April and September; in the county of Hancock, on the third Mondays of May and October; in the county of Henderson, on the first Mondays of June and November; in the county of Warren, on the Thursdays succeeding the first Mondays in June and November; in the county of Knox, on the third Mondays of June and November."

"SEC. 2. All indictments, informations, recognizances, suits, motions, writs, process, and proceedings, civil, criminal, and in chancery, which have been, or shall be commenced, returnable to, or pending at any of the terms of the courts as heretofore required to be held in the said judicial circuit, shall be continued over, and made pending at, in and to the terms of the courts as required to be held by this act respectively.

"SEC. 3. This act shall take effect and be in force from and after its passage.

"SEC. 4. The county of Marquette is attached to the fifth judicial circuit, and courts shall be held therein, at such times as the judge presiding therein shall designate."

House bills for "An act in relation to State bonds, and other evidences of State indebtedness," and for

"An act to authorize the building of a mill-dam across the Little Wahgonish river, in White county," were severally read a first time, and *Ordered* to a second reading.

On motion,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion,

The rule having been further dispensed with, said bills were read a third time by their titles and passed.

Ordered, That their titles be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills.

A Senate bill for "An act to re-locate the county seat of Carroll county," with amendments of the House of Representatives, was taken up, and amendments concurred in.

On motion of Mr. Catlin,

A bill from the House of Representatives for "An act providing a unitary mode of registering births and deaths," was read a third time its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary in the House of Representatives thereof.

A message from the House of Representatives, by Mr. Ewing, Clerk:

Mr. Speaker: I am directed by House of Representatives to inform Senate that they have passed a bill for "An act to authorize the building of a mill-dam across the Little Wabash river, in White county," and bill for

"An act concerning the public revenue."

In which they ask the concurrence of the Senate.

The House of Representatives have concurred with the Senate in the passage of a bill for "An act to authorize Alexander Johnson to build mill-dam across the Little Wabash river."

A House bill for "An act amendatory of 'An act concerning the public revenue,'" was read, and

Ordered to a second reading.

On motion,

The rules were dispensed with, and said bill read a second time by title.

On motion of Mr. Parrish,

The bill was amended by adding thereto, the following:

"Sec. That the collectors of the State revenue, in the several counties in this State, be and are hereby empowered and directed to pay specie on Auditor's warrants, or redeem them in the same manner as they are now redeemable, at the State Treasurer's office: any law to the contrary notwithstanding; and on settlement with the Auditor of Public Accounts, the said collectors shall be credited with the amount of all warrants by them delivered over to the State Treasurer; *Provided*, that nothing in this act shall be so construed as to conflict with an act, approved February 11, 1841, entitled "An act in relation to the school fund."

On motion of Mr. Stapp,

The bill and amendment were referred to the committee on Finance

A bill from the House of Representatives for "An act to incorporate Dixon Bridge Company," was read, and

Ordered to a second reading.

On motion,

The rule was dispensed with, and said bill read a second time by title, and,

On motion of Mr. Parrish,

Referred to the committee on Incorporations.

A like bill for "An act to declare the Snicarty a navigable stream" was read, and

Ordered to a second reading.

On motion,

The rule was dispensed with, and said bill read a second time by title, and

Ordered to a third reading; and

On motion,

The rule having been further dispensed with, said bill was read a third time by its title, and,

On motion of Mr. Worthington,

referred to a select committee.

Ordered, That Messrs. Worthington, Ralston, and Cavarly be that committee.

A like bill for "An act making compensation to Elijah Willard, formerly commissioner of the board of public works," was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rule was dispensed with, and said bill read a second time by its title, and

referred to the committee on Finance.

A like bill for "An act in relation to common schools," was read, and

on the question—"Shall the bill be ordered to a second reading?"

it was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Henry, Hoard, Johnson, Killpatrick, Matteson, McMurtry, Thompson, and Vandeventer—9.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Leviston, Markley, Nunnally, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Warren, Waters, Willbanks—24.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled, and laid before the Council of Revision for their approval, a bill for "An act to incorporate the city of Peoria."

A bill from the House of Representatives for "An act for the relief of school commissioner of Pope county," was read, and

Ordered to a second reading.

On motion,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion,

The rule was further dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A bill from the House of Representatives for "An act to compile, and publish in one volume, the laws of Illinois," was read a first time.

Mr. Killpatrick moved that the bill be laid on the table until the seventh of March next; and the question being taken thereon.

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Cullom, Dougherty, Feaman, Harrison, Henry, Killpatrick, Nunnally, Stapp, Warren, and Worthington—10.

Those who voted in the negative, are,
Messrs. Baker, Catlin, Cavarly, Crain, Davidson, Davis, Evans, Fithian, Harris, Hoard, Johnson, Leviston, Markley, Matteson, McMurtry, Parker, Parrish, Ralston, Ruggles, Smith, Thompson, Vandeventer, and Waters—23.

The bill was then ordered to a second reading, and the rule having been on motion of Mr. Parker, dispensed with, the bill was read a second time by its title.

Mr. Hoard moved to amend the bill by striking out all of the first line the word "agree," inclusive, and insert the following:

"That the Governor, Auditor, and Secretary of State, shall be authorized to contract with the Public Printer, or with the lowest and best tender, and."

Mr. Worthington moved to amend the amendment by striking out the words "with the Public Printer or."

On motion of Mr. Cavarly,

The bill and amendment was referred to the committee on the Judiciary.

The resolution of the House of Representatives authorizing and requiring the Governor and Auditor of Public Accounts to settle with the present Fund Commissioner, John D. Whiteside, in relation to his dealings such, was read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

A House bill for "An act for the relief of John Wood," was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rules were dispensed with, and said bills read a second time by their titles.

Mr. Ralston moved to amend the bill by adding to the same the following:

"*SEC.* That hereafter State internal improvement scrip, and other evidences of State indebtedness, shall be received in payment of taxes, and all other public dues, and all public defaulters shall have a right to pay in like manner all damages occasioned by their default; *Provided*, no interest shall be computed on the scrip, or other evidences of State indebtedness so to be received."

And the question being taken on the adoption of the amendment.

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Ralston, Slocumb, and Willbanks—3.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, Hoard, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ruggles, Smith, Stapp, Thompson, Vandeventer, Warren, Waters, and Worthington—34.

On motion of Mr. Leviston,

The bill was amended by adding the following:

"**Sec.** That William H. Stickney, administrator *de bonis non* of Tyler D. Hewit, deceased, be allowed to pay the amount due from the estate of the said Hewit in State bonds, scrip, or other evidences of State indebtedness."

Mr. Ralston moved further to amend the bill by adding thereto the following:

"**Sec.** That the Governor shall be authorized to settle with John Tillson, jr., late Fund Commissioner, and upon such settlement being had, the said Tillson shall have the right of paying his indebtedness in scrip, or other evidences of State indebtedness; *Provided*, interest shall not be computed on the same."

Mr. Davis moved the previous question; which was put, and decided in the affirmative.

The question was then taken on the adoption of the last amendment, proposed by Mr. Ralston, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Cavarly, Davis, Ralston, Slocumb, and Smith—5.

Those who voted in the negative, are,

Messrs. Baker, Buford, Catlin, Crain, Cullom, Davidson, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ruggles, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Worthington—32.

The question was put—"Shall the bill be ordered to a third reading, as amended?" and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Dougherty, Feaman, Harrison, Henry, Killpatrick, Leviston, Matteson, Ruggles, Stapp, Waters, and Worthington—15.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Crain, Davis, Evans, Fithian, Harris, Hoard, Johnson, Markley, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Slocumb, Smith, Thompson, Vandeventer, Warren, and Willbanks—22.

Ordered, That the Secretary inform the House of Representatives hereof.

A House bill for "An act for the formation of the county of Benton, and for other purposes," was read a first time by its title.

On motion of Mr. Cavarly,

Ordered to a second reading.

On motion,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Cavarly, Killpatrick, Harris, and Warren be that committee.

A message from the House of Representatives, by Mr. Ewing, their clerk:

Mr. Speaker: I am directed to inform the Senate that the House has concurred with the Senate in their amendments to bills of the following titles:

"An act to amend an act entitled 'An act to incorporate the Union Agricultural Society,'" and

"An act to locate a State road therein named."

They have concurred with the Senate in the passage of a bill for "An act in relation to the streets running through out-lots in the town of Vandalia."

A resolution from the House of Representatives authorizing the Secretary of State to furnish the binder with paper for fly leaves for book binding for the State, was read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

A House bill for "An act to authorize the sheriff of Shelby county to sell non-resident lands for taxes due for 1841," was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule was dispensed with, and said bill was read a second time by its title, and

Ordered to a third reading.

On motion,

The rule was further dispensed with, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed to inform the Senate that they have laid on the table until the fourth day of July next, a bill for "An act explanatory of the 'Act regulating the sale of property on judgments and executions,' approved January 6, 1843."

The House of Representatives have concurred with the Senate in the passage of bills of the following titles:

"An act for the relief of Matilda Powers," and

"An act to provide for taking up, registering, and cancelling of State bonds, and other evidences of State indebtedness."

The House of Representatives have passed bills of the following titles:

In which they ask the concurrence of the Senate:

"An act to incorporate the Lamoille Agricultural and Mechanical Association," and

"An act making appropriations to finish part of the State House."

I am also directed by the House of Representatives to return to the Senate for their concurrence a bill for "An act to amend an act entitled 'An act concerning the public revenue,' approved February 26, 1839, and an act supplemental to said act, approved March 1, 1839," the same being now properly engrossed.

A House bill for "An act to authorize Alfred Brown, Woster Ives, and their associates, of Whiteside county, to alter or change the channel of Rock creek," was read, and

Ordered to a second reading.

On motion of Mr. Davis,

The rule was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading, and,

On motion,

The rule was further dispensed with, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A House bill for "An act to amend an act entitled 'An act concerning the public revenue,' approved February 26, 1839, and to legalize the assessment of property in the county of La Salle, for the year 1841, and to provide a remedy when certificates of the purchase of land for taxes have been lost," was read, and

Ordered to a second reading.

On motion,

The Senate adjourned.

THURSDAY, MARCH 2, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles:

"An act concerning the navigation of Bonpas creek, in Edwards county;"

"An act for leasing water power on the Illinois and Michigan Canal;"

"An act relating to the State treasury;"

"An act to incorporate the Juliet Seminary, and elevate the primary schools in township thirty-five north, of range ten east, in Will county," and

"An act to vest the estate of Edward Mlodzianowski, deceased, in Dennis Rockwell, in trust, for the purposes therein named."

In the passage of which I am directed to ask the concurrence of the Senate.

They have concurred with the Senate in the passage of a bill for "An act for the relief of Calvin Gould."

They have also concurred with the Senate in the passage of bills of the following titles:

"An act to amend the charter of the city of Quincy;"

"An act to incorporate the Galena Manufacturing Company," and

"An act to authorize the levying of a tax for school purposes in township eleven north, range one east," as amended by them. In which amendments they ask the concurrence of the Senate.

The House of Representatives have refused to concur with the Senate in certain amendments to a bill for "An act to provide for the sale of public property, and the payment of the public debt;" which amendments not concurred in, are,

First, that in relation to the rent of the mills at Carmi and New Haven, being paid in State indebtedness, &c.

Second, that proposing to relinquish the right of way on the Northern Cross Railroad west of the Illinois river.

Third, They have amended the Senate's amendment, which exempts the Northern Cross Railroad between Springfield and Meredosia from sale, by striking out all of said amendment, being the twelfth section, and inserting the following:

"The Northern Cross Railroad shall be sold, subject to the lien created in favor of the bonds issued for the completion of said road."

The House of Representatives have concurred in the Senate's amendment, providing for the publication of notices of the sale of property in two public newspapers in the city of Springfield, instead of one.

Mr. Ruggles presented the petition of sixty-two citizens of Illinois, on the subject of the trial by jury, in relation to laws concerning colored people, &c.; which was read.

Mr. Ruggles moved that said petition be referred to the committee on the Judiciary.

On motion of Mr. Markley,

The petition was laid on the table.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, Henry, James, Johnson, Leviston, Markley, Matteson, Nunnally, Parker, Parrish, Ralston, Slocumb, Vandeventer, Warren, Waters, Willbanks, and Worthington—29.

Those who voted in the negative, are,

Messrs. Hoard, Killpatrick, Minard, Ruggles, and Smith—5.

Mr. Killpatrick presented the petition of H. H. Hall, on the subject of the county seat of Cass county; which was, without reading,

On motion of Mr. Killpatrick,

Referred to the committee on Counties,

On motion of Mr. Killpatrick,

The order of business was suspended, and a bill from the House of Representatives for "An act in relation to the county of Cass," was taken up, read a first time by its title, and

Ordered to a second reading,

And the rule having been, on motion, dispensed with, said bill was read a second time by its title, and referred to the committee on Counties.

Mr. Davidson, from the committee on School Lands and Education to which was referred the petition of inhabitants of township thirteen north, range five west, reported the same back, and obtained a discharge from its further consideration.

On motion of Mr. Davidson,

The petition was laid on the table.

Mr. Davidson, from the same committee, to which was also referred the petition of the faculty and trustees of McKendree College, reported the same back, and obtained a discharge from its further consideration.

On motion of Mr. Parrish,

The petition was laid on the table.

Mr. Harrison, from the committee on Internal Navigation, to which was referred a bill from the House of Representatives for "An act authorizing the erection of a mill-dam across Rock river," and a like bill for "An act to incorporate the Rock River Bridge Company," reported said bills back, without amendment.

Ordered that said bills be read a third time.

On motion of Mr. Harrison,

The rule was dispensed with, and said bills were read a third time by their titles and passed.

Mr. Waters, from the same committee, to which was referred a House bill for "An act to authorize John W. Smith, Benjamin B. Brown, Abijah Smith, and Charles McClure, to build a dam across Fox river," reported the same back, without amendment.

Ordered that the same be read a third time.

On motion of Mr. Ralston,

The rule was dispensed with, and said bill read a third time by its title, and passed.

Mr. Matteson, from the committee on Finance, to which was referred a House bill for "An act to provide for the allowance and payment of interest, and money due the contractors on the Illinois and Michigan Canal," reported the same back, without amendment.

On motion of Mr. Davidson,

Said bill was amended by adding thereto, after the word "Canal," in the last line but two, the following:

"*Provided*, that any moneys so paid shall be considered as a portion of the sum limited to be paid to contractors, in the act entitled "An act to provide for the completion of the Illinois and Michigan Canal, and for the payment of the Canal debt," passed at the present session of the General Assembly."

Ordered that said bill be read a third time, as amended.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and said bill read a third time by its title.

On the question—"Shall said bill pass, as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cavarly, Davidson, Fithian, Harrison, Hoard, Johnson, Killpatrick, Markley, Matteson, McMurtry, Minard, Ralston, Ruggles, Slocumb, Smith, Vandeventer, Warren, Waters, and Worthington—21.

Those who voted in the negative, are,

Messrs. Catlin, Cullom, Dougherty, Evans, Feaman, Harris, Henry, James, Leviston, Nunnally, Parker, Parrish, and Willbanks—13.

Mr. Ralston, from the committee on the Judiciary, to which was referred a House bill for "An act to amend an act entitled "An act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to a third reading,

On motion of Mr. Ralston,

The rule was dispensed with, and said bill read a third time by its title, and passed.

Mr. Matteson, from the committee on Finance, to which was referred a House bill for "An act amendatory of 'An act concerning the public revenue;'" as amended, reported the same back, and recommended its passage, with the amendment as an additional section to the bill.

Ordered that said bill be read a third time, as amended.

On motion of Mr. Killpatrick,

The vote just taken on ordering the bill last referred to to a third reading, as amended, was re-considered.

On motion of Mr. Killpatrick,

The bill was amended, by striking out the first section after the enacting clause.

Ordered that the bill be read a third time, as amended.

On motion of Mr. Parrish,

The rule was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives of their passage, and ask the concurrence of the House in the amendments of the Senate.

Mr. Davidson, from the committee on School Lands and Education, to which was referred Senate bill for "An act for the relief of Jefferson McKinney," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Dougherty,

The rule was dispensed with, and said bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that Secretary inform the House of Representatives of the passage of the bill, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act in relation to the school fund of Lawrence county."

In the passage of which they ask the concurrence of the Senate.

Mr. Parker, from the committee on Public Roads, to which was referred a bill for "An act concerning the Cumberland road in Illinois," reported the same back, with an amendment.

Mr. Davidson moved to amend the amendment, by striking out all of the amendment proposed by the committee, and insert the following:

"That the moneys to be received under the provisions of 'An act to amend an act entitled 'An act to provide for the receipt of the distributive share of this State, of the proceeds of the sales of public lands,' passed at this session of the General Assembly; also, any moneys now in, or near the treasury, due this State, received from the General Government, known as the three per cent. fund, be and it is hereby appropriated, or so much thereof as may be necessary to the payment of the interest of the school, college, and seminary fund, due on the first day of January, 1843;" which was agreed to.

Mr. Parker moved to amend the amendment, by adding the following:

"The remainder, if any, shall be distributed amongst the several counties of this State, in proportion to their population, as a part of the principal of said funds."

On motion of Mr. Davidson,

The proposed amendment to the amendment was laid on the table.

Those who voted in the affirmative, are,

Messrs. Buford, Cullom, Davidson, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, James, Johnson, Killpatrick, Leviston, Matteson, McMurtry, Minard, Parrish, Ruggles, Slocumb, Smith, Stapp, Thompson, and Wynne—23.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Crain, Evans, Harris, Markley, Parker, Vandeventer, Warren, Waters, Willbanks, and Worthington—12.

On motion of Mr. Parker,

The bill and amendment were referred to a select committee.

Ordered, That Messrs. Parrish, Davidson, and Cavarly be that committee.

Mr. Cavarly, from the committee on Public Accounts and Expenditures, to which was referred a bill from the House of Representatives for "An act making appropriations for the years 1843 and 1844," reported the same back, with sundry amendments, as follows:

Second section, fourth line from the bottom of the page, after the word "thousand," add "four hundred."

Third section, sixth line after word "and," insert the words "to each Senator sworn in, or whose seat was vacated by resolution of the Senate." In the nineteenth line, strike out the word "four" before the word "dollars," and insert "five." In the twenty-fifth line, strike out the word "four," and insert "three." Strike out all after the word "day," in the twenty-fifth line, on that page.

Mr. Johnson called for a division of the question, upon concurring with the committee in their said amendments.

The question was then taken on the amendments severally, and all were concurred in except the last.

Mr. Hoard moved to amend that part of the bill allowing thirty dollars to Mr. Von Horn, for making a statistical map for the use of a joint committee of the two Houses, by striking out "thirty" and inserting "twenty," instead of it.

Mr. Dougherty called for a division of the question, so as first to take the vote upon striking out "thirty;" and the question being taken upon striking out, it was decided in the negative.

On motion of Mr. Stapp,

The bill was amended by adding after the word "map," referred to in the amendment proposed by Mr. Hoard, the words "which map shall be deposited in the office of the Secretary of State."

Mr. Johnson moved to amend that part of the bill fixing the pay of members of the General Assembly at four dollars per day, by striking out "four" and inserting "three," instead of it.

Mr. McMurtry moved to amend Mr. Johnson's amendment, by striking out "three" and inserting "two," instead thereof; which was not agreed to.

Pending the question upon the adoption of the amendment, proposed by Mr. Johnson, a division was called for.

The question was then taken on striking out "four," and decided in the negative.

Mr. Cavarly moved to amend the bill by adding after the word "day," the seventeenth line of the third section, the following;

"To John Kavanaugh, the sum of one dollar and fifty cents per day, as Assistant Door-keeper of the Senate, for each day he may have served as such, to be certified by the Sergeant-at-Arms."

Mr. Killpatrick moved to amend the amendment, by striking out "one dollar and fifty cents," and inserting "two dollars."

A division being called for, the question was first taken upon striking out, and decided in the affirmative.

Mr. Wynne moved to fill the blank with "three dollars."

Mr. Dougherty moved to insert "four dollars."

The question was next taken upon inserting "four dollars," the greatest number, and decided in the negative.

The question was then taken on inserting "three dollars," as proposed by Mr. Wynne, and decided in the affirmative.

The amendment proposed by Mr. Cavarly was then adopted, as amended.

On motion of Mr. Matteson,

The vote taken upon concurring with the committee in their amendment, proposing to strike out the word "four," in the twenty-fifth line of the third section, and insert "three" in lieu thereof, was re-considered.

The question was again taken on concurring with the committee in their said amendment, and decided in the negative.

On motion of Mr. Parrish,

The bill was amended by striking out "three dollars," relative to the compensation of the Assistant Enrolling and Engrossing Clerks of the two Houses, and inserting in lieu thereof "four dollars."

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That John D. Whiteside, Esq. hand over to the Secretary of State, the bonds and coupons, examined, marked, and sealed by the joint select committee appointed by both branches of the General Assembly, as stated per their report; that the Secretary cause said bonds to be registered, and produce them on Saturday the 4th inst., at 3 o'clock, P. M., in front of the State House, to be burned in the presence of both branches of the General Assembly.

In the passage of which they ask the concurrence of the Senate.

They have passed bills of the following titles:

"An act concerning the school funds in Morgan and Macoupin counties;"

"An act to amend an act entitled 'An act to consolidate the acts rela-

tive to the Auditor and Treasurer, and election of Attorney General,' approved March 2, 1833."

"An act relating to schools in township thirty-five north, of range twelve east, in Will county.

In the passage of which they ask the concurrence of the Senate.

They have re-passed a bill, as amended by them, to obviate the objections of the Council of Revision, entitled "An act to regulate weights and measures;" in which they ask the concurrence of the Senate.

They have concurred with the Senate in their amendments to a bill for "An act to incorporate the town of Winchester, in Scott county," made to said bill to obviate the objections of the Council of Revision.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles:

"An act to authorize John Vanfleet to build a dam across Fox river;"

"An act to extend the limits of Bond county;"

"An act concerning corporations;"

"An act to authorize John M. Robinson and others to establish a ferry, and for other purposes;"

"An act to correct the record of the plat of the town of Charleston, Peoria county, and to change the name thereof;"

"An act in relation to the streets running through out-lots in the town of Vandalia," and

"An act supplemental to 'An act for the sale of certain lots therein named,' approved February 26, 1841."

Mr. Wynne, from the committee on Counties, to which was referred a bill for "An act to define the boundary lines of Menard county," reported, the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Cavarly,

The rule was dispensed with, and the bill was read the third time by its title.

Mr. Markley moved to amend the bill by adding the following additional sections:

"**Sec.** There shall be an election held at the house of Joseph B. Ayres, in the territory proposed in this act to be attached to Menard county, on the second Monday in April next, for the purpose of voting for or against being attached to Menard county; at which time and place the judges of elections in the Athens precinct shall attend together with two clerks, to be chosen by them, who shall proceed to open the polls of the election and conduct it according to the law regulating elections, and if a majority of the legal voters residing in the bounds proposed to be attached to Menard from Sangamon county, shall vote in favor of being attached to Menard county, then the lines of Menard county shall be established as provided for in this act; but if on counting the votes a majority is found against being attached to Menard county, then this act shall be null and void in every respect, and the said territory shall remain a part of Sangamon county.

"**Sec.** If a majority of the legal votes are given in favor of being attached to Menard county, the judges of the election shall make their return to the county commissioners' clerk of Menard county; if against being attached, they shall make their return to the clerk of the county

commissioners' court of Sangamon county, and filed by him in his office."

On motion of Mr. Davis,

The proposed amendment was laid on the table.

Those who voted in the affirmative, are,

Messrs. Buford, Cavarly, Crain, Cullom, Davis, Dougherty, Evans, Feaman, Harris, Harrison, Henry, Hoard, James, Killpatrick, Leviston, Matteson, Minard, Parker, Smith, Stapp, Warren, Waters, Willbanks, Worthington, and Wynne—25.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Fithian, Johnson, Markley, Parrish, Ruggles, and Thompson—8.

On the question—"Shall said bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Crain, Cullom, Davis, Evans, Feaman, Harrison, Henry, Hoard, James, Killpatrick, Leviston, Matteson, Minard, Parker, Slocumb, Stapp, Warren, Waters, Willbanks, and Wynne—23.

Those who voted in the negative, are,

Messrs. Baker, Fithian, Johnson, Markley, Parrish, Ruggles, Smith, Thompson, and Worthington—9.

Ordered, That their titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Harrison,

The order of business was suspended to enable him to make a report from a select committee; whereupon,

Mr. Harrison, from the select committee to which was referred a bill for "An act regulating the time of holding courts in the sixth judicial circuit," reported the same back, with an amendment; which was concurred in.

Ordered that said bill, as amended, be read a third time, as amended.

On motion of Mr. Harrison,

The rule was dispensed with, and said bill read a third time by its title and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill for "An act to provide for the division of Coles county," was read a third time and passed.

On motion,

The bill was amended by striking out all after the word "for," and inserting the words "the completion of the Northern Cross Railroad."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Vandeventer,

The order of business was suspended, and a bill for "An act for the relief of John G. McHatton, late sheriff of Schuyler county, also late sheriff and collector for Schuyler and Brown counties," was taken up, read a first time, and

Ordered to a second reading.

On motion of Mr. Vandeventer,

The rule was dispensed with, and said bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. McMurtry and Thompson be that committee.

On motion of Mr. Stapp,

The order of business was suspended, and a bill for "An act to amend 'An act concerning the public revenue,' approved Feb. 26, 1839, and an act supplemental to said act, approved March 1, 1839," was taken up, read the first time, and

Ordered to a second reading.

On motion of Mr. Stapp,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on Finance.

On motion of Mr. Davis,

The order of business was suspended and a bill for "An act making appropriations for the years 1843 and 1844," was taken up, and on the question on ordering the bill to a third reading,

On motion of Mr. Davis,

The previous question was put and carried; and

On the question—"Shall said bill, as amended, be read a third time?"

It was decided in the affirmative.

On motion of Mr. Dougherty,

The rule of the Senate was dispensed with, and the bill was read a third time by its title.

Mr. Ralston moved to amend the bill by adding the following additional section:

"Sec. There shall be allowed to Thomas C. King, the amount of expenditures by him paid out in taking Joseph Smith from Quincy to Monmouth, on a writ of *habeas corpus*, not exceeding sixty-five dollars; *Provided*, said King shall first file with the Auditor his affidavit, showing the amount of money actually paid out by him for expenses as aforesaid;" which was not agreed to.

On motion of Mr. Hoard,

The previous question was put and carried.

The question was then taken on the passage of the bill, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Dougherty, Feaman, Hoard, James, Killpatrick, Leveston, Matteson, Minard, Ruggles, Stapp, and Waters—13.

Those who voted in the negative, are,

Messrs. Baker, Cavarly, Crain, Cullom, Davidson, Davis, Evans, Fithan, Harris, Harrison, Henry, Johnson, Markley, Parker, Parrish, Ralston, Hocumb, Smith, Vandeventer, Warren, Willbanks, Worthington, and Wynne—23.

Ordered, That the Secretary inform the House of Representatives hereof.

A bill for "An act to change the time of holding courts in the fifth judicial circuit," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An to repeal incorporations, and for other purposes," was read a third time and passed.

On motion of Mr. Ruggles,

The title was amended by striking out all after the word "to," and in-

serting the words "locate a State road from St. Charles, in Kane county, to Rockford, in Winnebago county."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Cullom,

The order of business was suspended and a bill for "An act supplemental to an act entitled 'An act to permanently locate the seat of justice of Woodford county,'" was taken up, read the first time, and

Ordered to a second reading.

On motion of Mr. Cullom,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

Mr. Cullom moved to amend the bill as follows:

Amend the third line in section one, by inserting after the name of "A. Hannaford," the words, "of the county of Peoria;" also, after the name of "L. H. Bryant," insert the words "the county of Bureau."

On motion of Mr. Cullom,

The bill and proposed amendment were referred to a select committee.

Ordered, That Messrs. Cullom, Barnett, and Thompson be that committee.

A bill for "An act to provide for the letting of the Northern Cross Railroad line, and other railroad lines in this State, to companies," was read a third time.

The question was then taken on the passage of the bill, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Crain, Cullom, Davis, Dougherty, Evans, Feaman, Henry, Hoard, James, Johnson, Killpatrick, Leviston, Matteson, Minard, Ruggles, Stapp, Thompson, Warren, and Waters—21.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cavarly, Davidson, Fithian, Harris, Harrison, Markley, Parker, Parrish, Ralston, Slocumb, Smith, Vandeventer, Willbanks, and Worthington—16.

On motion of Mr. Dougherty,

The title was amended by striking out all after the word "act," and insert the words "to incorporate the Great Western Railway Company."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Bills from the House of Representatives of the following titles were severally read a first time:

"An act supplemental to 'An act creating the county of Massac from Pope and Johnson counties;'"

"An act in relation to the school fund of Lawrence county;"

"An act concerning attorneys and counsellors at law;"

"An act to provide for the payment of interest on the school fund therein named;"

"An act to authorize the county commissioners of Stephenson county to assess the rates of toll on a certain bridge therein named;"

"An act to amend an act entitled 'An act regulating mills and millers,' approved Feb., 1827;"

"An act in relation to the Kaskaskia and Mississippi Railroad Company," and

"An act to change the name of the town of Bowling Green, in the county of Warren, to that of Berwick." 1

Ordered, that said bills be read a second time.

On motion,

The rule was dispensed with, and said bills were severally read a second and third times by their titles, and passed.

Ordered, That their titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles, to wit:

"An act to authorize Alexander Johnson to build a mill-dam across the Little Wabash river;"

"An act supplemental to 'An act for the sale of certain lots therein named,' approved Feb. 26, 1841;"

"An act in relation to the streets running through out-lots in the town of Vandalia;"

"An act to vacate part of a State road in Peoria;"

"An act to amend an act entitled 'An act for the re-survey of the lower town of Carlyle, in Clinton county;"

"An act for the relief of Matilda Powers;"

"An act to extend the limits of Bond county;"

"An act to authorize John Vanfleet to build a dam across Fox river;"

"An act to correct the record of the plat of the town of Charleston, in Peoria county, and to change the name thereof;"

"An act to authorize John M. Robinson and others to establish a ferry, and for other purposes;"

"An act to re-locate the county seat of Carroll county;"

"An act to provide for taking up, registering, and cancelling of State bonds and other evidences of State indebtedness;"

"An act in relation to burying grounds, church yards, and lands used by literary institutions," and

"An act in relation to the penitentiary."

A bill for 'An act to provide for the regulation of the penitentiary,' was read the first time, and

Ordered to a second reading.

On motion of Mr. Smith,

The rule was dispensed with, and said bill read a second time by its title, and referred to the committee on the Penitentiary.

On motion of Mr. Davis,

The vote on the passage of the bill for "An act making appropriations for the years 1843 and 1844," was re-considered.

The question was then taken on the passage of the bill, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, Dougherty, Feaman, Hoard, Killpatrick, Matteson, Minard, Smith, and Waters—9.

Those who voted in the negative, are,

Messrs. Baker, Catlin, Cavarly, Crain, Cullom, Davis, Evans, Fithian, Harris, Henry, James, Johnson, Leviston, Markley, Parker, Parrish, Ralston, Ruggles, Slocumb, Stapp, Thompson, Vandeventer, Warren, Willbanks, Worthington, and Wynne—26.

A bill for "An act authorizing the building of a bridge across the Sangamon river," was read a first time, and

Ordered to a second reading.

On motion of Mr. Wynne,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Internal Improvements.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles, viz:

"A bill for "An act to amend an act entitled 'An act for the re-survey of the lower town of Carlyle, in Clinton county;'"

"An act to provide for taking up, registering, and cancelling of State bonds and other evidences of State indebtedness;

"An act for the relief of Matilda Powers;"

"An act to re-locate the county seat of Carroll county;"

"An act in relation to burying grounds, church yards, and lands used by literary institutions;"

"An act to vacate part of a State road in Peoria," and

"An act to authorize Alexander Johnson to build a mill-dam across the Little Wabash river;" also,

"An act to reduce the number of officers upon the Illinois and Michigan Canal."

A bill for "An act for the purposes therein named," was read a first time, and

Ordered to a second reading.

On motion of Mr. Leviston,

The rule was dispensed with, and the bill read a second time by its title, and referred to the committee on Incorporations.

A bill for "An act for a State road from David Wright's, in Iroquois county, to Portland, in Cook county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Hoard,

The order of business was suspended and the following order was introduced by him and adopted.

"*Ordered*, that the Secretary of the Senate be required to respectfully request the House of Representatives to return to the Senate a bill making appropriations for the pay of the officers of the government, which the Senate this day refused to pass."

A bill for "An act to authorize William T Ryburn and Byrd T. Ryburn to build a mill-dam across Big Muddy river," was read the first time, and

Ordered to a second reading.

On motion of Mr. Parker,

The rule was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Parker, Leviston, and Willbanks be that committee.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act for the re-organization of the militia of the State of Illinois."

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of a bill for "An act to form the county of Pulaski,"

At the request of the Honorable the Senate the House returns to them the bill for "An act making appropriations for the years 1843 and 1844."

On motion of Mr. Davis,

The vote taken on the passage of the bill for "An act making appropriations for the years 1843 and 1844," was re-considered.

The question was then taken on the passage of the bill, and decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Henry, from the select committee to which was referred a bill for "An act for the formation of the county of Benton, and for other purposes," reported the same back, with sundry amendments.

Mr. Killpatrick moved to amend the bill by adding the following proviso to the third section:

"*Provided*, that if the county of Greene shall vote against the creation of said county of Benton, it shall not effect the provisions of this act in relation to the territory to be attached to the county of Cass, but if a majority of the votes of the county of Morgan shall be in favor of said county of Benton, then the territory as aforesaid shall be and remain a part of Cass county."

Mr. Henry moved to lay the proposed amendment on the table.

On motion,

The Senate adjourned to 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Speaker announced a communication from the Governor, upon executive business.

On motion of Mr. Ralston,

The communication was acted upon with open doors; it was read as follows:

EXECUTIVE DEPARTMENT,
Springfield, Feb. 28, 1843.

I nominate Lewis M. Booth to be public administrator for the county of Adams.

Nathaniel Applegate to be public administrator for the county of Bureau.

De Grass Salisbury to be notary public for the county of Bureau.

William C. Griffith to be public administrator for the county of Clark.

Timothy R. Young to be notary public for the county of Clark.

Robert J. Scott to be public administrator for the county of Edgar.

Benjamin Bruce to be public administrator for the county of Gallatin.

Lansing B. Nichols to be public administrator for the county of Lake.

Daniel Paine to be public administrator for the county of Lawrence.

James Nabb to be notary public for the county of Lawrence.

Lyman King to be public administrator for the county of McHenry.

Abram R. Richards to be public administrator and Henry J. Runkle to be notary public for Knox county.

Valentine Miller to be public administrator and notary public for the county of Wabash.

George McHenry to be public administrator for the county of Morgan.

Joseph Heslep to be notary public for the county of Morgan.

Daniel Waldo to be notary public for the town of Meredosia, in Morgan county.

See sixth section of an act entitled "An act to provide for the election of justices of the peace in Naples and Meredosia, and for the appointment of certain notaries public," approved Feb. 6, 1839.

James A. Foster to be public administrator for the county of Randolph.

John A. Longlois to be notary public for the county of Randolph.

James C. Rucker to be notary public for the county of Scott.

Joseph Oliver to be notary public for the county of Shelby.

William B. Parker to be notary public for the town of Tremont, in Tazewell county.

James McCoy to be notary public for the county of Whiteside.

Eli. B. Ames to be notary public for the town of Lockport, in Will county.

Charles A. Shelby to be public administrator for the county of Massac.

John B. Hick to be notary public for the county of Massac.

Calvin A. Warren to be notary public for the county of Adams.

THOMAS FORD.

On motion of Mr. Feaman,

The above nominations were advised and consented to by the Senate.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they are now in readiness to receive the Senate in the Hall of the House of Representatives, for the purpose of proceeding to the election of an Auditor of Public Accounts, in place of James Shields, resigned; in pursuance of a joint resolution of the two Houses; whereupon

The Senate, preceded by their Speaker, went to the Hall of the House of Representatives, and there both branches of the General Assembly proceeded, *viva voce*, to elect an Auditor of Public Accounts for the State of Illinois; when the vote stood thus:

For W. L. D. Ewing—86.

For Gholson Kercheval—19.

For S. Leech—8.

Scattering—8.

W. L. D. Ewing, having received a majority of all the votes given, was, by the Speaker of the House of Representatives, declared duly elected

Auditor of Public Accounts; whereupon the Senate returned to their chamber, and,

On motion, adjourned.

FRIDAY, MARCH 3, 1843.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of "An act entitled 'An act to provide for the transcribing certain records therein named,' approved Feb. 12, 1835."

They have also passed a bill for "An act for the relief of William Warnick, late a collector of taxes in and for the county of Macon."

In which they ask the concurrence of the Senate.

On motion of Mr. Parrish,

The order of business was suspended, and a bill for "An act relating to the State Treasury," was taken up, read a first time, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

On motion of Mr. Parrish,

The bill was amended by adding the following to the fourth section of the bill: "and the balance of said funds when received, be placed in the State Treasury, and paid out as other moneys are."

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Davis, Evans, Feaman, Fithian, Henry, Hoard, Killpatrick, Leviston, McMurtry, Minard, Parrish, Ralston, Smith, Thompson, Warren, Waters, Willbanks, and Wynne—22.

Those who voted in the negative, are,

Messrs. Cullom, Johnson, Markley, Nunnally, Parker, Stapp, and Vandever—7.

Ordered, that said bill, as amended, be read a third time.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and the bill was read a third time, and

On the question—"Shall said bill pass, as amended?"

It was decided in the affirmative:

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Dougherty, Evans, Feaman, Hoard, Johnson, Leviston, Matteson, McMurtry, Minard, Nunnally, Parrish, Ralston, Ruggles, Smith, Stapp, Thompson, Warren, Waters, Willbanks, and Wynne—24.

Those who voted in the negative, are,

Messrs. Cullom, Fithian, Henry, Killpatrick, Markley, Parker, and Vandever—7.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment to said bill.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate, that they have passed a bill for "An act to authorize the school commissioners of Schuyler and Christian counties to dispose of any depreciated bank paper in their possession.

In the passage of which they ask the concurrence of the Senate.

And they have concurred with the Senate in their amendments to the following bills, to wit:

"An act to regulate foreign insurance company agencies, established in the State of Illinois, and for other purposes."

"An act to regulate the time of holding courts in the sixth judicial circuit," and

The House of Representatives have concurred in the Senate's amendments to the bill for "An act making appropriations for the years 1843 and 1844."

The House of Representatives have concurred in the amendments of the Senate to a bill for "An act to provide for the allowance of interest and moneys due the contractors on the Illinois and Michigan Canal," and

"An act to locate a State road from Josephine to Knoxville."

They have concurred with the Senate in their amendments to a bill for "An act regulating the time of holding courts in the sixth judicial circuit," as amended by them; having re-considered their vote of concurrence after the report made this morning on the same subject.

They have also concurred in the Senate's amendment to "An act to establish the name of William Carroll Mitchell."

The House of Representatives have concurred in the Senate's amendments to bills of the following titles:

"An act relating to the State treasury," and

"An act to legalize the recorded plat of school section addition to Chicago, and for other purposes."

Mr. Ralston, from the committee on the Judiciary, to which was referred a certain petition of sundry citizens of La Salle county, praying for the alteration of the law in relation to negroes and mulattoes, reported the same back, and asked to be discharged from the further consideration of said petition.

On motion of Mr. Markley,

Said petition was laid on the table.

Mr. Leviston, from the committee on Internal Improvements, to which was referred a bill for "An act for the purposes therein named," reported the same back, with an amendment; which was concurred in.

Ordered that said bill, as amended, be engrossed for a third reading.

On motion of Mr. Fithian,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and passed.

On motion of Mr. Fithian,

The title was amended by striking out all after the word "Act," and in-

sert in lieu thereof the words "authorizing the erection of a bridge across the Sangamon river."

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Cavarly, from the committee on the Judiciary, to which was referred the petition of James Seymour, of Rochester, State of New York, for relief, reported the same back.

On motion,

Said petition was laid on the table.

Mr. Ralston, from the committee on the Judiciary, to which was referred a certain resolution, requesting the Judiciary committee to enquire into the expediency of extending the jurisdiction of probate justices of the peace, wherein guardians are plaintiffs, &c., reported the same back, and asked to be discharged from the further consideration of the subject.

On motion of Mr. Ralston,

The resolution was laid on the table.

Mr. Cavarly, from the committee on the Judiciary, to which was referred a bill from the House of Representatives for "An act in relation to the Supreme Court," reported the same back, with an amendment.

The question was then taken on concurring with the committee in their amendment to the bill, and decided in the negative:

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Dougherty, Harris, Leviston, Nunnally, Parker, Parrish, and Thompson—9.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Crain, Cullom, Evans, Feaman, Fithian, Harrison, Hoard, Henry, Johnson, Killpatrick, Markley, Matteson, McMurtry, Ruggles, Slocumb, Smith, Stapp, Vandeventer, Warren, Waters, and Wynne—23.

Ordered that said bill be read a third time.

On motion,

The rule of the Senate was dispensed with, and the bill was read a third time.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Davidson, Dougherty, Evans, Fithian, Harrison, Henry, Hoard, Johnson, Markley, Matteson, McMurtry, Nunnally, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Vandeventer, Warren, and Waters—25.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cullom, Feaman, Harris, Killpatrick, Leviston, Parker, Willbanks, and Wynne—10.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act for the settlement of the accounts of James W. Barret," reported the same back, with an amendment.

The question was taken on concurring with the committee in their amendment to the bill, and decided in the negative.

Those who voted in the affirmative, are,
Messrs. Barnett, Catlin, Cavarly, Feaman, Harris, Hoard, Markley, Matteson, Minard, Parrish, Ralston, Ryan, and Vandeventer—13.

Those who voted in the negative, are,
Messrs. Baker, Buford, Crain, Cullom, Dougherty, Evans, Fithian, Harrison, Henry, Johnson, Killpatrick, Leviston, McMurtry, Nunnally, Ruggles, Slocumb, Smith, Stapp, Thompson, Warren, Waters, Willbanks, and Wynne—23.

The question was then taken on ordering the bill to a third reading, and decided in the affirmative.

Those who voted in the affirmative, are,
Messrs. Baker, Buford, Crain, Cullom, Davis, Dougherty, Evans, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Warren, and Waters—22.

Those voting in the negative, are,
Messrs. Barnett, Catlin, Cavarly, Feaman, Harris, Leviston, Markley, Matteson, Minard, Nunnally, Parrish, Ralston, Vandeventer, Willbanks, and Wynne—15.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and said bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Cavarly, from the committee on Finance, to which was referred a bill for "An act making compensation to Elijah Willard, formerly a commissioner of the board of public works," reported the same back, and asked to be discharged from the further consideration of the subject.

The question was taken on ordering said bill to a third reading, and decided in the affirmative.

Those who voted in the affirmative, are,
Messrs. Baker, Buford, Catlin, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Harrison, Henry, Hoard, Johnson, Leviston, Matteson, McMurtry, Ruggles, Ryan, Slocumb, and Smith—22.

Those who voted in the negative, are,
Messrs. Barnett, Cavarly, Harris, Markley, Minard, Nunnally, Parker, Parrish, Ralston, Thompson, Vandeventer, Warren, Willbanks, and Wynne—14.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles, viz:

"An act to authorize the owners of real estate in the corporation of Lynnville, to vote for the purposes therein named;"

"An act in relation to State bonds and other evidences of State indebtedness;"

"An act for the relief of the school commissioner of Pope county;"

"An act to amend an act entitled 'An act to incorporate the Union Agricultural Society;'"

"An act to change the name of a town, and for other purposes;"

"An act authorizing the school commissioner of La Salle county to dispose of depreciated bank notes belonging to the school fund;"

"An act to locate a State road from La Salle to Inlet Grove."

Mr. Smith, from the committee on the Penitentiary, to which was referred a bill for "An act to provide for the regulation of the penitentiary," reported the same back, without amendment.

Mr. Matteson moved to amend the bill by adding the following as an additional section:

"Sec. That the same allowance be allowed to the present lessees for guard hire, that was allowed to the former lessees."

On motion of Mr. Parker,

The proposed amendment was laid on the table.

On motion of Mr. Smith,

The bill was referred to the committee on Finance.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill for an act entitled "An act for the relief of John Pearson," reported the same back, with amendment.

Ordered that said bill be read a third time.

Mr. Leviston, from the committee on Internal Improvements, to which was referred a bill "An act to authorize the building of a bridge across the Sangamon river," reported the same back, without amendment.

Mr. Wynne moved to amend the bill by adding the following as an additional section:

"Sec. That the county commissioners of Sangamon county are hereby required to pay over to the county commissioners of Menard county, the sum of four hundred and fifty dollars, and to the county commissioners of Mason county, the sum of one hundred and fifty dollars."

The question was taken on the adoption of the amendment offered by Mr. Wynne, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Crain, Evans, Feaman, Harris, Leviston, Markley, Nunnally, Parrish, Ralston, Vandeventer, Warren, Willbanks, and Wynne—16.

Those who voted in the negative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Dougherty, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Matteson, McMurtry, Parker, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, and Worthington—22.

Mr. Wynne moved to lay the bill on the table; which was not agreed to.

Ordered that said bill be read a third time.

Mr. Parker, from the committee on Public Roads, to which was referred a bill for "An act to improve the State road from York through Martinsville, in Clark county, to Charleston, in Coles county," reported the same back, with an amendment; which was concurred in.

Ordered that said bill, as amended, be engrossed for a third reading.

On motion of Mr. Parker,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and passed.

On motion of Mr. Parker,

The title was amended by striking out all after the word "Act," and insert the words "to authorize William B. Marrs, administrator of the estate of Frederick Boyers, deceased, to convey certain real estate therein mentioned."

Ordered, That the title be as amended, that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of a bill for "An act to incorporate the Grand de Tour Manufacturing Company."

Mr. Ryan, from the committee on Canal and Canal Lands, to which was referred a petition, reported a bill for "An act entitled 'An act to authorize the governor to issue patents for certain canal lands;'" which was read a first time, and

Ordered to a third reading.

On motion of Mr. Ryan,

The rule of the Senate was dispensed with, and said bill was read a second and third times by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Ryan, from the same committee, to which was referred a certain petition, reported a bill for "An act entitled 'An act donating a lot in the town of Ottawa to the Catholic Society of that place;'" which was read a first time, and

Ordered to a second reading.

On motion of Mr. Ryan,

The rule of the Senate was dispensed with, and the bill was read a second time by its title.

The question was then taken on ordering the bill to a third reading, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, Matteson, McMurtry, Minard, Rugles, Ryan, Thompson, Vandeventer, Waters, and Worthington—20.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Cullom, Evans, Harris, Johnson, Killpatrick, Markley, Nunnally, Parker, Parrish, Ralston, Slocumb, Smith, Stapp, Warren, Willbanks, and Wynne—18.

On motion of Mr. Ryan,

The rule of the Senate was dispensed with, and the bill was read a third time by its title.

The question was then taken on the passage of the bill, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cavarly, Davidson, Davis, Dougherty, Evans,

Feaman, Fithian, Harrison, Henry, Hoard, Matteson, Minard, Ruggles, Ryan, Thompson, Waters, and Worthington—19.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Cullom, Harris, Johnson, Killpatrick, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Slocumb, Smith, Stapp, Vandeventer, Warren, Willbanks, and Wynne—19.

Mr. Speaker voted in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, a bill of the following title, viz:

"An act to form the county of Pulaski."

Mr. Slocumb, from the committee on Salines and Saline Lands, to which was referred a bill for "An act making a partial change in the appropriation of the saline lands to the counties of Clay and Richland," reported the same back, with an amendment.

Mr. Evans moved to lay the amendment on the table; which was not agreed to.

The question was then taken on concurring with the committee in their amendment to the bill; which was to strike out the third section of the bill; which was agreed to.

Ordered that said bill be read a third time.

On motion of Mr. Hoard,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the Senate's amendment to the bill, and ask their concurrence therein.

Mr. Cullom, from the select committee to which was referred a bill for an act entitled "An act to permanently locate the seat of justice of Woodford county," reported the same back, with an amendment; which was agreed to.

Ordered, that said bill be read a third time.

On motion of Mr. Cullom,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and passed, as amended.

Ordered, That the title be as aforesaid, and that the Secretary ask the concurrence of the House of Representatives in their amendment to said bill.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House to return to the Senate, at their request, a bill for "An act authorizing the erection of a bridge across the Sangamon river."

The House refuses to concur in the amendments of the Senate to "An act to provide for the payment of interest on the school, college, and seminary fund."

Mr. Vandeventer, from the select committee to which was referred a bill for "An act for the relief of John G. McHatton, late sheriff of Schuy-

ler county; also late sheriff and collector of Schuyler and Brown counties," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Vandeventer,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. McMurtry, from the select committee to which was referred a bill for "An act concerning Knox county," reported the same back, with an amendment; which was concurred in.

Ordered that said bill, as amended, be engrossed for a third reading.

On motion of Mr. Baker,

The rule of the Senate was dispensed with, and the bill was read a third time by its title.

The question was then taken on the passage of the bill, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Crain, Cullom, Davidson, Davis, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Johnson, Killpatrick, Leviston, Markley, McMurtry, Minard, Parker, Parrish, Ralston, Ruggles, Slocumb, Smith, Stapp, Thompson, Vandeventer, Warren, Willbanks, Worthington, and Wynne—31.

Those who voted in the negative, are,

Mr. Catlin—1.

On motion of Mr. Baker,

The title of the bill was amended by striking out all after the word "Act," and inserting the words "in relation to the counties of Menard, Logan, Mason, Christian, and Sangamon."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Ralston,

The vote taken on ordering to a third reading a bill for "An act to amend an act entitled 'An act to incorporate the Illinois Mutual Fire Insurance Company,' approved Feb. 23, 1839," was re-considered.

The question was then taken on ordering the bill to a third reading, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Cullom, Davidson, Davis, Dougherty, Feaman, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, Leviston, Markley, Ralston, Slocumb, Smith, Vandeventer, Warren, Waters, and Worthington—23.

Those who voted in the negative, are,

Messrs. Crein, Harris, Matteson, McMurtry, Minard, Parker, Parrish, Stapp, and Wynne—9.

On motion of Mr. Smith,

The rule of the Senate was dispensed with, and said bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House has concurred in the amendments of the Senate to a bill for "An act to exempt certain articles from execution;" and "An act to abolish the office of Fund Commissioner, and for other purposes therein named."

The House recedes from the amendments to the bill for "An act to increase the per diem pay to grand and petit jurors, and to allow them mileage."

They have concurred in the amendments of the Senate to "An act for the relief of Henry B. Cone and James W. Nobles.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Parrish,

The order of business was suspended to enable him to make a report from a select committee.

Mr. Parrish, from the select committee to which was referred a bill for "An act to authorize William T. Ryburn and Byrd T. Ryburn to erect a mill-dam across Big Muddy river," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Baker,

The vote taken on the passage of a bill for "An act to authorize the erection of a bridge over the Sangamon river," was re-considered and referred to a select committee.

Ordered, That Messrs. Baker, Warren, and Wynne be that committee.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles, viz:

"An act to authorize the building of a mill-dam across the Little Wabash river, in White county;"

"An act concerning certain sales of school lands in Effingham county;"

"An act providing a voluntary mode of registering births and deaths;"

"An act in relation to the Cumberland road;"

"An act declaring a certain road therein named a State road, and for locating a State road from the east line of Mercer county, to the town of Millersburgh, in said county;"

"An act to incorporate the Tazewell County Farmers' and Mechanics' Company;"

"An act for the relief of Calvin Gould," and

"An act to enable Henry W. Wigginton, to establish a ferry on the Illinois river."

Engrossed bill for "An act to amend 'An act to incorporate the city of Nauvoo,' in force Feb. 1, 1841," was read a third time, and,

On motion of Mr. Warren,

House bill for "An act for a State road from David Wright's in Iroquois county, to Portland, in Cook county," was read a second time, and

Ordered to a third reading.

House bill for "An act to amend an act entitled 'An act concerning the public revenue,' approved February 26, 1839, and to legalize the assessment of property in the county of La Salle, for the year 1841, and to provide a remedy when certificates of the purchase of land for taxes have been lost," was read a second time, and

Ordered to a third reading.

House bill for "An act to extend the time for the completion of the Illinois and Rock River Railroad Company," was read a second time, and referred to a select committee.

Ordered, That Messrs. Dougherty, Buford, and Ruggles be that committee.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by the House to inform the Senate that they have concurred with them in the passage of a bill for "An act to locate a State road from St. Charles, in Kane county, to Rockford, in Winnebago county."

The House has again passed a bill for "An act relative to wills and testaments, executors and administrators, and the settlement of estates," approved January 23, 1829, as amended by them, to obviate the objections of the Council of Revision.

Mr. Speaker laid before the Senate the following communications, on executive business; which were, on motion, acted on with open doors.

EXECUTIVE DEPARTMENT,

Springfield, March 3, 1843.

I nominate Wm. H. Ralston, H. S. Cooley, and John H. Holton to be notaries public for the city of Quincy, in Adams county.

N. B. Thompson to be public administrator and notary public for the county of Cass.

Stephen J. Scott to be public administrator for the county of Du Page.

James Durrah to be notary public for the county of Gallatin.

Jarrett Dugger to be public administrator for the county of Macoupin.

John S. Greathouse to be notary public for the county of Macoupin.

L. J. Greenleaf to be notary public for the county of McHenry.

Charles D. Pulver to be notary public for Pleasant Grove, in McHenry county.

Horatio G. McClintock, John W. Buffum, and Samuel G. Reily to be notaries public for the city of Alton, in Madison county.

Jacob West to be public administrator for the county of Menard.

John W. Johnson to be public administrator for the county of Monroe.

Edward Omelvany to be notary public for the county of Monroe.

Franklin Campbell to be public administrator for the county of Perry.

Luther Beal to be notary public for the county of Perry.

William Elliott to be public administrator for the county of Richland.

James Kelly to be notary public for the county of Richland.

Butler Q. McNeil to be notary public for the county of Warren.

James Bevins to be public administrator for the county of Washington.

Zenas H. Verner to be notary public for the county of Washington.

John A. Corneau to be notary public for the city of Springfield. The nomination of Mr. Corneau is made upon the petition of fifty citizens of the city of Springfield.

Wm. C. Bostwick to be notary public for the county of Jo Daviess.

THOMAS FORD.

EXECUTIVE DEPARTMENT,
Springfield, March 3, 1843.

I nominate James C. Sloo, John Crenshaw, and Orville Sexton to be directors on the part of the State of the Bank of Illinois at Shawneetown.

THOMAS FORD.

EXECUTIVE DEPARTMENT,
Springfield, March 3, 1843.

I nominate B. K. Hart, Peter Merrill, and Wm. Montgomery to be inspectors of the penitentiary at Alton.

Also, Thomas Morris, of Gallatin county, Wm. H. Bissell, of St. Clair county, and Murray McConnell, of Morgan County, to be bank commissioners, under and by virtue of an act entitled "An act to put the Bank of Illinois into liquidation," approved Feb. 25, 1843.

THOMAS FORD.

On motion of Mr. Harrison,

The nominations contained in the first communication were advised and consented to.

On motion of Mr. Parrish,

The nominations contained in the second communication were advised and consented to.

On motion of Mr. Smith,

The nomination of B. K. Hart, Peter Merrill, and William Montgomery to be inspectors of the penitentiary at Alton, were advised and consented to.

On motion of Mr. Davidson,

The nomination of Thomas Morris, Wm. H. Bissell, and Murray McConnell to be bank commissioners, &c., was laid on the table.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, a bill of the following title, viz:

"An act to amend an act entitled 'An act relative to criminal jurisprudence,' approved Feb. 26, 1833."

Bills from the House of Representatives of the following titles were severally read a first time:

"An act authorizing an additional justice of the peace and constable in the Fountain Green precinct, in Hancock county;"

"An act to amend an act entitled 'An act to incorporate the town of Ottawa, and for other purposes,' approved Jan. 21, 1837;"

"An act to incorporate the Naperville Cemetery Association;"

"An act to incorporate academies and seminaries of learning;"

"An act for a State road from Frederickville, in Schuyler county, to Macomb, in McDonough county;"

"An act entitled 'An act to incorporate the Morgan Institute;'"

"An act in relation to the specie in the Bank of Illinois, at Shawnee town;"

"An act to locate a State road from Wm. Brown's, jr., in St. Clair county, to Nashville, in Washington county;"

"An act in relation to clerks of circuit courts;"

"An act to authorize and direct the Secretary of State to receive and preserve geological specimens, and for other purposes;"

"An act to exempt the property of colleges and common schools from taxation for a limited period;"

"An act to incorporate the Lamoille Agricultural and Mechanical Association;"

"An act making appropriations to finish part of the State House," and

"An act to authorize the school commissioners of Schuyler and Christian counties to dispose of any depreciated bank paper in their possession."

Ordered, that said bills be read a second time.

A bill for "An act to provide for an equitable adjustment and payment of interest on certain bonds heretofore paid to the contractors on the line of the Illinois and Michigan Canal," was read a first time and refused a second reading.

A bill for "An act for the relief of John Hodges, William Clapp, and other securities of Jesse J. McLenden, former collector of Alexander county," was read a first time.

The question was taken on ordering said bill to a second reading, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Dougherty, Feaman, Henry, Stapp, and Waters—6.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Davis, Evans, Fithian, Harrison, Hoard, Johnson, Killpatrick, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Willbanks, Worthington, and Wynne—34.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Dougherty,

A bill for "An act to incorporate the Chicago Turnpike Company," was read a first time by its title, and laid on the table until the fourth day of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

"An act to compensate Joseph C. Harrison for the apprehension of Thomas Johnson, a fugitive from justice," was read a first time, and,

On motion,

Laid on the table until the fourth day of July next.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed to inform the Senate that the House have concurred with them in the passage of a bill for "An act to change the time of holding courts in the fifth judicial circuit."

"They have passed "An act to provide for the completion of the Northern Cross Railroad."

They have also concurred with the Senate in the passage of a bill for "An act to authorize a settlement with Macalister and Stebbins, and further to diminish the State debt," as amended by them.

In which amendment they ask the concurrence of the House.

"A bill for "An act to amend 'An act for the relief of insolvent debtors,' approved Jan. 12, 1829," was read a first time, and,

On motion of Mr. Davidson,

Was laid on the table until the fourth day of July next.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Crain, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Fithian, Henry, Hoard, Killpatrick, Mattoon, McMurry, Parrish, Ryan, Slocumb, Smith, Thompson, Willbanks, and Worthington—22.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Cavarly, Harrison, Johnson, Leviston, Markley, Minard, Nunnally, Parker, Ralston, Ruggles, Vandeventer, Warren, Waters, and Wynne—16.

Ordered, That the Secretary inform the House of Representatives thereof.

A bill for "An act to amend an act entitled 'An act to incorporate the Chicago Hydraulic Company,'" was read a first time, and,

On motion of Mr. Warren,

Was laid on the table until the fourth day of July next.

A bill for "An act to vest the estate of Edward Mlodzianowski, deceased, in Dennis Rockwell, in trust, for the purposes therein named," was read a first time, and

Ordered to a second reading.

On motion of Mr. Henry,

The rule of the Senate was dispensed with, and said bill was read a second and third times by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles.

In the passage of which they ask the concurrence of the Senate.

"An act to repeal the charter of the Bank of Cairo;"

"An act appointing the Governor ex-officio Fund Commissioner of the State of Illinois;"

"An act in relation to the State Bank and the Bank of Illinois."

"An act to incorporate the Juliet Seminary, and to elevate the primary schools in township thirty-five north of range ten east, in Will county," was read a first time, and

Ordered to a second reading.

On motion of Mr. Matteson,

The rule of the Senate was dispensed with, and said bill was read a second time by its title and referred to a select committee.

Ordered, That Messrs. Matteson, Hoard, and Minard be that committee.

A bill for "An act for leasing water power on the Illinois and Michigan Canal," was read a first time, and

Ordered to a second reading.

On motion,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Ordered to a third reading.

A bill for an act entitled "An act appointing the Governor ex-officio Fund Commissioner of the State of Illinois," was read a first time, and

Ordered to a second reading.

On motion,

The rule of the Senate was dispensed with, and the bill was read a second and third times by its title, and passed.

Ordered, That the title be as aforesaid, that the Secretary inform the House of Representatives thereof.

A bill for "An act concerning the navigation of Bonpas Creek, in Edwards county," was read a first time, and

Ordered to a second reading.

On motion,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and

Ordered to a third reading.

A bill for "An act relating to schools in township thirty-five north, range twelve east, in Will county," was read a first time, and

Ordered to a second reading.

On motion,

The rule of the Senate was dispensed with, and said bill was read a second and third times by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act to repeal the charter of the Bank of Cairo", was read a first time.

Mr. Davidson moved to lay the bill on the table until the fourth day of July next; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Baker, Cullom, Feaman, Henry, Johnson, Killpatrick, Nunnally, Smith, and Worthington—9.

Those who voted in the negative, are,

Messrs. Buford, Catlin, Cavalry, Crain, Davis, Dougherty, Evans, Fithian, Harris, Harrison, Hoard, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Parrish, Ralston, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, Willbanks, and Wynne—27.

The bill was then ordered to a second reading.

On motion,

The rule of the Senate was dispensed with, and said bill was read a second time by its title, and

Ordered to a third reading.

On motion,

The rule of the Senate was further dispensed with, and said bill was read a third time by its title.

The question was then taken on the passage of the bill, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavalry, Crain, Davis, Dougherty, Evans, Fithian, Harris, Hoard, Leviston, Markley, Matteson, McMurtry, Minard, Parker, Parrish, Ralston, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—27.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Feaman, Harrison, Henry, Johnson, Killpatrick, Nunnally, Smith, and Worthington—10.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act in relation to the State Bank and Bank of Illinois," was read a first time, and

Ordered to a second reading.

On motion of Mr. Ralston,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ralston, Dougherty, and Davis be that committee.

A bill for "An act concerning the school funds in Morgan and Macoupin counties," was read a first time, and

Ordered to a second reading.

On motion,

The rules of the Senate were dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Harris,

Referred to a select committee.

Ordered, That Messrs. Harris, Henry, and Killpatrick be that committee.

A bill for "An act to amend an act entitled 'An act to consolidate the acts relative to the Auditor and Treasurer, and election of Attorney General,' approved March 2, 1833," was read a first time, and

Ordered to a second reading.

On motion,

The rules of the Senate were dispensed with, and said bill was read a second and third times by its title, and passed.

Ordered, That the title be as aforesaid, that the Secretary inform the House of Representatives thereof.

A bill for "An act for the re-organization of the militia of the State of Illinois," coming up for consideration,

Mr. Smith moved to lay the bill on the table; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, Crain, Davidson, Dougherty, Fithian, Henry, Killpatrick, Ruggles, and Smith—9.

Those who voted in the negative, are,
Messrs. Catlin, Cavarly, Cullom, Davis, Evans, Feaman, Harris, Harrison, Hoard, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Nunnally, Parker, Parrish, Ralston, Ryan, Slocumb, Stapp, Thompson, Vandeventer, Warren, Waters, Willbanks, Worthington, and Wynne
—29.

On motion of Mr. Harris,
Said bill was read the first time by its title, and
Ordered to a second reading.

And on his further motion, was read a second time by its title; and referred to the committee on Military Affairs.

Mr. Worthington, from the select committee to which was referred a bill for "An act to declare the Snicarty a navigable stream," reported the same back, with an amendment; which was concurred in.

Ordered, that said bill as amended, be read a third time.

On motion,

The rule of the Senate was dispensed with, and said bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment.

A resolution from the House of Representatives, requiring J. D. White-side to hand over certain bonds to the Secretary of State, to be destroyed on to-morrow at 3 o'clock, P. M., was taken up and agreed to.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of bills of the following titles:

"An act to authorize county commissioners' courts to assess taxes for road purposes," and

"An act to prevent cities and towns from issuing warrants to circulate as money."

"A bill for "An act to regulate the times of holding courts in the sixth judicial circuit," coming up for consideration, and the question being on concurring with the House's amendment to the Senate's amendment to said bill, and the question being taken thereon, it was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Ralston, from the select committee to which was referred a bill for "An act in relation to the State Bank and Bank of Illinois," reported the same back, with an amendment.

On motion of Mr. Stapp,

Said bill and amendment were referred to the committee on the Judiciary.

On motion,

The Senate adjourned to 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

Senate bills, as amended by the House of Representatives, of the following titles, were severally taken up, and the amendments of the House of Representatives concurred in.

"An act to amend an act entitled 'An act to authorize the sale of saline lands, in Bond county;'"

"An act to authorize the levying of a tax for school purposes, in township eleven north, range one east;"

"An act to incorporate the Galena Manufacturing Company."

Ordered, That the Secretary inform the House of Representatives thereof.

Senate bill for "An act to authorize a settlement with Macalister & Stebbins, and further to diminish the State debt," as amended by the House of Representatives, was taken up, and

On the question—"Will the Senate concur with the House in its amendment to said bill?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cavalry, Crain, Davidson, Davis, Evans, Fithian, Henry, Hoard, Johnson, Markley, Matteson, McMurtry, Minard, Parker, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, and Wynne—24.

Those who voted in the negative, are,

Messrs. Catlin, Feaman, Harris, Killpatrick, Nunnally, Parrish, Ralston, and Willbanks—8.

Senate bills of the following titles, as amended by the House of Representatives, were severally taken up, and the question put upon concurring with the House in its amendments, and decided in the negative:

"An act regulating mill-dams in Vermilion county," and

"An act to amend the charter of the city of Quincy."

House bill for "An act to regulate weights and measures," with amendments made by the House of Representatives, to obviate the objections of the Council of Revision, was taken up, and said amendments concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

House bill for "An act to provide for the sale of the public property, and the payment of the public debt," with an amendment to the 11th section of said bill, made by the Senate, in which the House refused to concur, was taken up, and,

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Davidson, and Baker be that committee.

House bill for "An act supplementary to the several acts defining the duties of the Public Printer," with an amendment made thereto by the Senate, in which the House of Representatives refused to concur, was taken up; when,

On motion of Mr. Vandeventer,

The Senate receded from its said amendment.

House bill for "An act to provide for the payment of the interest on the school, college and seminary fund," with amendments of the Senate, in which the House of Representatives refused to concur, was taken up, when the Senate refused to recede from its said amendments.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Ralston, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, for "An act in relation to the State Bank and Bank of Illinois," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to a third reading.

On motion,

The rule was dispensed with, and said bill read a third time by its title, and passed.

Mr. Hoard from the select committee to which was referred a bill from the House of Representatives for "An act to regulate the mode of holding elections in Kendall county," reported the same back, without amendment.

Ordered, that said bill be read a third time.

On motion,

The rule was dispensed with, and the bill read a third time by its title, and passed.

Mr. Matteson, from the committee on Finance, to which was referred a bill for "An act to provide for the regulation of the penitentiary," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to a third reading.

On motion,

The rule was dispensed with, and the bill read a third time by its title, and passed.

Ordered, That the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence in the amendments of the Senate.

A preamble and resolution, offered by Mr. Davis on the 23d of February, ult., permitting sundry citizens of Springfield to extinguish certain indebtedness to the State, in the manner therein specified, was taken up, and, on the question of its adoption, it was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cullom, Davidson, Davis, Dougherty, Fearns, Fithian, Harris, Henry, Johnson, Killpatrick, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Slocumb, Smith, Thompson, Waters, and Wynne—23.

Those who voted in the negative, are,

Messrs. Catlin, Cavalry, Crain, Evans, Ralston, Vandeventer, and Warren—7.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House has concurred with the Senate's resolution, proposing to furnish J. M. Peck with one copy of each of the volumes of the State papers on the public lands.

They have concurred in the amendments of the Senate, to "An act supplemental to 'An act concerning estrays,' in force Feb. 9, 1835."

On motion,
The Senate adjourned.

SATURDAY, MARCH 4, 1843.

Senate met pursuant to adjournment.

Mr. Vandevanter, from the committee on Counties, to which was referred a House bill for "An act in relation to the county of Cass," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Vandevanter,

The rule was dispensed with, and said bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Killpatrick, from the select committee to which was referred a bill for "An act in relation to a State road in Scott county," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

On motion of Mr. Killpatrick,

The rule was dispensed with, and said bills were read a third time by its title, and passed.

On motion of Mr. Killpatrick,

The title of said bill was amended by striking it out, and making it read "appropriations for the years 1843 and 1844."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Dougherty, from the committee on Incorporations, to which was referred a House bill for "An act for the purposes therein named," reported the same back, without amendment.

Ordered that said bill be read a third time.

On motion of Mr. Leviston,

The rule was dispensed with, and said bill read a third time by its title and passed.

Ordered, That title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Dougherty, from the select committee to which was referred a House bill for "An act to provide for the sale of the public property, and the payment of the public debt," together with sundry amendments the Senate made thereto, and an amendment of the House to one of said amendments of the Senate, reported the same back, with an amendment

to the House amendment, as a substitute for one of the original amendments of the Senate, which had been lost; which amendment to the House amendment was concurred in.

On motion of Mr. Killpatrick,

The amendment of the House of Representatives was further amended by adding thereto the following:

"*Provided*, that the depot at Naples shall not be sold under the provisions of this act, but shall be leased or rented to the best interest of the State."

Mr. Cavarly moved the previous question, and

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davis, Dougherty, Feaman, Harrison, Henry, Killpatrick, Leviston, Markley, Matteson, McMurtry, Ruggles, Ryan, Slocumb, Smith, Thompson, Vandeventer, Warren, Waters, Willbanks, and Wynne—25.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Evans, Fithian, Harris, Johnson, Minard, Nunnally, Parker, Parrish, Ralston, Stapp, and Worthington—13.

The question was then taken on concurring with the House of Representatives in their amendment to the Senate's amendment, as amended, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davis, Dougherty, Harrison, Hoard, Johnson, Killpatrick, Leviston, Matteson, Minard, Ruggles, Ryan, Slocumb, Smith, Stapp, Thompson, Warren, Waters, and Wynne—23.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Evans, Feaman, Fithian, Harris, Markley, McMurtry, Nunnally, Parker, Parrish, Ralston, Vandeventer, Willbanks, and Worthington—15.

The House of Representatives having refused to concur in certain other amendments of the Senate to said bill, Mr. Vandeventer moved that the Senate recede from said amendments.

Mr. Slocumb called for a division of the question of receding therefrom.

The question was then taken upon receding from the amendment authorizing the purchaser or purchasers of the Northern Cross Railroad, lying between Springfield and Meredosia, should the same be sold, to make such changes in the western termination thereof as they may deem advisable, and decided in the affirmative.

The question was next taken upon receding from the amendments, excepting the water power owned by the State, at New Haven and Carmi, from the provisions of the bill under consideration, &c., and decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives that the Senate have receded as aforesaid, and of their last amendments aforesaid, and ask their concurrence therein.

A message from the Governor, by Mr. Trumbull, Secretary of State.

Mr. Speaker: I am directed by the Governor to lay before the Senate written communication.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles, viz:

A bill for "An act to incorporate the town of Winchester, in Scott county," which was returned some time since with objections by said Council.

"An act to incorporate the Gran de Tour Manufacturing Company," and

"An act to amend 'An act to provide for transcribing certain records therein named,' approved February 12, 1835."

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles, to wit:

"An act to form the county of Pulaski;"

"An act to amend an act entitled 'An act relative to criminal jurisprudence,' approved February 26, 1841;"

"An act to enable Henry W. Wigginton to establish a ferry on the Illinois river," and

"An act for the relief of Calvin Gould."

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill of the following title, viz:

"An act to repeal certain sections of an act entitled 'An act incorporating the city of Nauvoo, in the county of Hancock,' approved December 6, 1840."

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in their amendments to a bill for "An act to declare the Snicarty a navigable stream."

And have adopted the following resolution; in which they ask the concurrence of the Senate:

Resolved by the House of Representatives, the Senate concurring herein, That the Governor be authorized and requested to procure the surrender of the lease of S. M. Tinsley & Co. on the Northern Cross Railroad, between Springfield and Meredosia, and to settle with them on such terms as he may think just and equitable, and most conducive to the interests of the State.

Mr. Cavarly, from the committee on Finance, to which was referred a House bill for "An act to amend an act entitled 'An act concerning the public revenue,' approved February 26, 1839, and an act supplementary to said act, approved March 1st, 1839," reported the same back to the Senate, with amendments.

The question was taken on concurring with the committee in its amendment, proposing to insert in the bill after the words "under oath," the words "if the assessor shall deem it necessary," and decided in the affirmative.

Pending the question, on concurring in the amendment proposing to insert in the bill, the words "and money on hand,"

Mr. Dougherty moved to amend that amendment by adding "and evidences of State indebtedness at the value, as indicated on the face of the same."

On motion of Mr. Stapp,

The amendment to the amendment was laid on the table.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Davis, Henry, Hoard, Johnson, Killpatrick, Leviston, McMurtry, Minard, Nunnally, Parker, Parrish, Ruggles, Slocumb, Smith, Stapp, Warren, Waters, and Willbanks—21.

Those voting in the negative, are,

Messrs. Crain, Cullom, Dougherty, Evans, Feaman, Harris, Markley, Matteson, Ralston, Ryan, Vandeverter, and Worthington—12.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That the Treasurer be directed to make a *pro rata* distribution of the specie on hand in discharge of such Auditor's warrants as have been issued to the members of the Legislature and to the officers of the State Government.

In the passage of which they ask the concurrence of the Senate.

The question was then taken on concurring with the committee in their amendment last named to the bill under consideration, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Cavarly, Crain, Cullom, Dougherty, Evans, Harris, Hoard, Killpatrick, Markley, Matteson, McMurtry, Minard, Nunnally, Ryan, Slocumb, Stapp, Vandeverter, Willbanks, and Worthington—20.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Catlin, Davis, Feaman, Henry, Johnson, Leviston, Parker, Parrish, Ralston, Ruggles, Smith, Thompson, Warren, and Waters—16.

Pending the question on concurring with the committee in their amendment proposing to strike out the 8th section of the bill, and insert another in lieu of it,

Mr. McMurtry called for a division.

The question was then taken on striking out the 8th section, and decided in the affirmative.

On motion of Mr. Dougherty,

The matter proposed to be inserted was amended, by inserting after the word "person" the word "or corporation."

Mr. McMurtry called for a division of the question, so that the vote might be first taken upon concurring with the committee in the part proposed to be inserted, as amended, so far as the word "and."

The question was accordingly taken, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Catlin, Cavarly, Dougherty, Evans, Feaman, Harris, Hoard, Johnson, Leviston, Markley, Matteson, Parrish, Ralston, Smith, Stapp, Thompson, Waters, and Willbanks—18.

Those who voted in the negative, are,

Messrs. Barnett, Crain, Cullom, Davidson, Davis, Fithian, Harrison, Henry, Killpatrick, McMurtry, Minard, Nunnally, Ryan, Vandeverter, Warren, Worthington, and Wynne—17.

The last part of said amendment, from and including the word "and," together with the remaining amendments proposed by the committee, were concurred in.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House of Representatives have concurred with the Senate in the passage of a bill for "An act to authorize Wm. B. Marrs, administrator of the estate of Frederick Boyers, deceased, to convey certain real estate therein mentioned."

The House refuses to recede from its amendment to the amendment of the Senate to a bill for "An act to regulate the time of holding courts in the sixth judicial circuit."

They have concurred with the Senate in the passage of a Senate resolution extending time to certain debtors of the State; those debtors being sundry citizens of Springfield, who had executed a bond to the State for \$50,000.

The House have also concurred in the amendments, sent by the Senate to the House this morning, to a bill for "An act to provide for the sale of public property and the payment of the public debt."

Mr. Stapp moved to amend the bill under consideration, by adding the following:

"SEC. That the third section of 'An act to provide for the payment of interest on the public debt,' approved February 27th 1841, be and the same is hereby repealed."

On motion of Mr. Cavarly,

The additional section, offered by Mr. Stapp, was amended by striking it all out after the word "That," and adding in lieu of the part stricken out, the following:

"The third section of an act entitled 'An act to provide for the payment of interest on the public debt,' be and the same is hereby declared to be in full force and effect, any thing in this act, or the act to which this is an amendment, to the contrary notwithstanding."

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cavarly, Cullom, Davidson, Dougherty, Feaman, Harris, Henry, Hoard, Killpatrick, Leviston, Markley, Matteson, McMurry, Minard, Parrish, Ralston, Ryan, Smith, Vandeventer, Warren, Villbanks, and Wynne—24.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davis, Evans, Fithian, Harrison, Johnson, Nunnally, Slocumb, Stapp, Thompson, Waters, and Worthington—13.

On motion of Mr. Stapp,

The word "ten," in the last line but one of the 9th section of the bill, was stricken out, and the word "six" inserted in lieu of it.

A message from the House of Representatives, by Mr. Nesbit, a member.

Mr. Speaker: I am directed to inform the Senate that the House have concurred in the amendments of the Senate to a bill for "An act to compile, and publish in one volume, the laws of Illinois."

They have concurred with the Senate in the passage of a bill for "An act relating to docket fees."

On motion of Mr. Dougherty,

The seventh section of the bill under consideration was amended by inserting therein, after the word "country," the words "on each Saturday."

Mr. Hoard offered the following as additional sections to the bill:

"**SEC.** That in case any person shall have paid the full amount of his State tax for the year 1842, in other funds than gold and silver, he shall be entitled to demand and receive from the collector to whom such payment was made, the whole amount of his tax for such year, upon the payment of one-half that amount in gold and silver or Auditor's warrants; and if the collector shall neglect or refuse to pay back such amount upon the tender of the gold and silver or Auditor's warrants, the person or persons aggrieved may sue for and recover the amount of his taxes so withheld before any justice of the peace having jurisdiction thereof; *Provided*, such collector shall have such money on hand at the time of such demand.

"**SEC.** That any and every collector in this State, shall pay into the State treasury any such tax, over and above the fifteen cents on the hundred dollars, as shall not be demanded of him, by the person entitled thereto, before the time prescribed by law for the making of his returns to the Auditor of this State."

Mr. Cavarly moved the previous question; which was put, and decided in the affirmative.

The question was then taken upon the adoption of the additional sections offered by Mr. Hoard, and decided in the affirmative.

On the question—"Shall the bill be ordered to a third reading, as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Davidson, Dougherty, Feaman, Harris, Hoard, Killpatrick, Leviston, Markley, Matteson, Minard, Parker, Parrish, Ryan, Slocumb, Warren, and Willbanks—19.

Those who voted in the negative, are,

Messrs. Baker, Crain, Cullom, Davis, Evans, Fithian, Harrison, Henry, Johnson, McMurtry, Nunnally, Ralston, Smith, Thompson, Vandeventer, Waters, Worthington, and Wynne—18.

On motion of Mr. Baker,

The rule was dispensed with, and said bill read a third time by its title, and

On the question—"Shall the bill pass as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Davidson, Dougherty, Feaman, Harris, Hoard, James, Killpatrick, Leviston, Markley, Matteson, Minard, Parker, Parrish, Ryan, Warren, Willbanks—19.

Those who voted in the negative, are,

Messrs. Baker, Crain, Cullom, Davis, Evans, Fithian, Harrison, Henry, Johnson, McMurtry, Ralston, Smith, Thompson, Vandeventer, Waters, Worthington, and Wynne—17.

Ordered, That title of said bill be as aforesaid, and that the Secretary inform the House of Representatives of its passage, and ask their concurrence in the amendments of the Senate.

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, bills of the following titles, viz:

"An act to prevent cities and towns from issuing warrants to circulate as money;"

"An act to change the time of holding courts in the fifth judicial circuit;"

"An act to authorize the levying of a tax for school purposes in township eleven north, range one east;"

"An act relating to docket fees;"

"An act to authorize a settlement with Macalister & Stebbins, and to further diminish the State debt;"

"An act to authorize county commissioners' courts to assess taxes for road purposes;"

"An act to amend an act entitled "An act to authorize the sale of the saline lands in Bond county;" "

"An act to authorize William B. Marrs, administrator of the estate of Frederick Boyers, deceased, to convey certain estate therein mentioned;"

Mr. Davidson, from the committee on School Lands and Education, to which was referred Senate bill for "An act in relation to township school funds, and for other purposes," reported the same back, with an amendment.

Mr. Ralston moved to lay the bill and amendment on the table until the 4th of July next; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Barnett, Catlin, Cavarly, Davis, James, Leviston, Markley, McMurtry, Parrish, Ralston, and Vandeventer—11.

Those who voted in the negative, are,

Messrs. Baker, Cullom, Davidson, Dougherty, Evans, Feaman, Fithian, Harris, Harrison, Henry, Hoard, Johnson, Killpatrick, Matteson, Minard, Nunnally, Parker, Ryan, Smith, Stapp, Waters, Willbanks, and Wynne—23.

Mr. Baker moved that the amendment reported by the committee be laid on the table; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Baker, Fithian, Harris, Henry, McMurtry, Nunnally, Smith, and Willbanks—8.

Those who voted in the negative, are,

Messrs. Barnett, Buford, Cavarly, Davidson, Davis, Dougherty, Evans, Feaman, Harrison, James, Killpatrick, Leviston, Markley, Matteson, Parker, Parrish, Ralston, Ryan, Stapp, Vandeventer, Warren, Wynne, and Waters—25.

The amendment reported by the committee was then concurred in.

The question was put—"Shall the bill be engrossed, as amended, for a third reading?" and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Buford, Cullom, Davidson, Davis, Dougherty, Evans, Feaman, Harrison, James, Johnson, Killpatrick, Matteson, Parker, Ryan, Stapp, Waters, and Wynne—17.

Those who voted in the negative, are,
Messrs. Baker, Barnett, Cavarly, Crain, Fithian, Harris, Henry, Hoard, Leviston, Markley, McMurtry, Nunnally, Parrish, Ralston, Smith, Thompson, Vandeventer, Warren, Willbanks, and Worthington—20.

A message from the House of Representatives, by Mr. Brown, a member:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles:

“An act concerning the public revenue and for other purposes;”

“An act to divorce Andrew and Susan McMillan.”

In the passage of which they ask the concurrence of the Senate.

The resolution from the House of Representatives, authorizing the Treasurer to pay out the gold and silver on hand to members of the General Assembly and officers of the State Government, was taken up for consideration and read.

Mr. Baker moved to amend said resolution by adding to the same the following:

“And all warrants, *pro rata*, issued to persons for furnishing work, or materials, or furniture, for the use of the General Assembly, or any of the departments of the State Government.”

Mr. Nunnally moved that the amendment be laid on the table until the 4th of July next; which was not agreed to.

The question was then taken on the adoption of the amendment, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Cullom, Davis, Evans, Fithian, Harrison, Henry, Johnson, Killpatrick, Ruggles, Vandeventer, Worthington, and Wynne—14.

Those who voted in the negative, are,

Messrs. Buford, Catlin, Cavarly, Davidson, Dougherty, Feaman, Harris, Hoard, James, Leviston, Markley, Matteson, McMurtry, Nunnally, Parker, Parrish, Ralston, Ryan, Smith, Stapp, Warren, Waters, and Willbanks—23.

Mr. Davis moved that the resolution be amended by adding to it the following:

“*Provided*, that the same shall be presented by those in whose favor such warrants were originally drawn; which was,

On motion of Mr. Dougherty,

Laid on the table.

The question was then taken on concurring with the House of Representatives in the adoption of the resolution, and decided in the negative.

Those who voted in the affirmative, are,

Messrs. Barnett, Davis, Dougherty, Hoard, James, Leviston, Matteson, Parrish, Ruggles, Ryan, Smith, Waters, and Wynne—13.

Those who voted in the negative, are,

Messrs. Catlin, Cavarly, Cullom, Davidson, Evans, Feaman, Fithian, Harris, Harrison, Henry, Johnson, Killpatrick, Markley, McMurtry, Nunnally, Parker, Ralston, Stapp, Vandeventer, Warren, Willbanks, and Worthington—22.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned to 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Killpatrick,

The order of business was suspended, and a bill for "An act for the formation of the county of Benton, and for other purposes," was taken up.

Mr. Killpatrick withdrew the amendment offered by him to said bill.

The question was then taken on concurring with the committee in their amendments to the bill, and decided in the affirmative.

Ordered that said bill, as amended, be read a third time.

On motion of Mr. Killpatrick,

The rule of the Senate was dispensed with, and the bill was read a third time by its title.

The question was then taken on the passage of said bill, and passed.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Crain, Cullom, Davidson, Feaman, Harris, Harrison, Hoard, Killpatrick, Leviston, Markley, Matteson, Minard, Nunnally, Parker, Parrish, Ralston, Ruggles, Ryan, Smith, Vandeventer, Warren, Willbanks, and Wynne—28.

Those who voted in the negative, are,

Messrs. Baker, Evans, Henry, Johnson, McMurtry, Stapp, Thompson, Waters, and Worthington—9.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the Senate's amendment to said bill.

Mr. Speaker laid before the Senate the following communication from the Governor on executive business; which was, on motion of Mr. Cavarly, acted on with open doors:

EXECUTIVE DEPARTMENT,
Springfield, March 4, 1843.

I nominate John A. Clark, to be public administrator and notary public for the county of Stephenson.

John Owens to be public administrator and notary public for the county of Carroll.

William J. Phelps to be public administrator, and Joseph W. Loyd notary public for Mercer county.

Matthias S. Link to be public administrator and notary public for the county of Greene.

Clark M. Goodrich to be public administrator, and Edward M. Daley to be notary public for the county of Jersey.

Ralph V. M. Croes to be notary public and public administrator for the county of Kane.

Campbell Wakefield to be public administrator, and Welcome P. Brown notary public for the county of McLean.

David Prickett to be bank commissioner under the provisions of an act entitled "An act to reduce the public debt one million of dollars, and to put the Bank of Illinois into liquidation," approved February 25, 1843.

THOMAS FORD.

On motion, the foregoing nominations were advised and consented to by the Senate.

Mr. Speaker laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
Springfield, March 2, 1843.

To the Senate and House of Representatives:

The president of the Bank of Illinois at Shawneetown, did, on the 27th day of February last, in pursuance of the act entitled "An act to reduce the State debt one million of dollars, and put the Bank of Illinois into liquidation," approved Feb. 25, 1843, pay over to me State bonds, scrip, and other indebtedness of the State, to the amount of five hundred thousand dollars; which are now being registered in the office of Secretary of State, and will be ready to be produced before the General Assembly in front of the State House, at two o'clock, on Saturday next, in order that the same may be destroyed. I have also entered into a contract with the Bank of Illinois for the delivery of the residue of five hundred thousand dollars of State indebtedness, with interest, within one year from the 27th day of February last, and have assigned to said bank five hundred thousand dollars of the stock of said bank owned by the State.

I have the honor to be, &c.,

THOMAS FORD.

N. B. Of the indebtedness received, forty-one thousand dollars is of the bonds issued on account of completing the Northern Cross Railroad.

On motion of Mr. Davidson,

The foregoing communication was laid on the table.

On motion of Mr. Leviston,

The nomination of Thomas Morris, William H. Bissell, and Murray McConnell, to be bank commissioners, was taken up and confirmed.

On motion of Mr. Smith,

The vote taken on the passage of a bill for "An act to provide for the regulation of the penitentiary," was re-considered.

On motion of Mr. Smith,

The bill was amended by adding the following:

"That the Auditor of Public Accounts be and he is hereby authorized and required to draw his warrant on the treasury in favor of Dorsey & Greathouse, for the sum of five hundred and fifty-five dollars and sixty-seven cents, in full, for receiving and distributing arms received from the United States, and for labor done and materials furnished in building shops within the penitentiary yard; all of which is fully set forth in the report of the inspectors of the penitentiary of the fifth of December, one thousand eight hundred and forty-two, in bills numbered two and three in said report.

"SEC. 2. The inspectors of the penitentiary are hereby authorized to dispose of the depreciated bank paper in their hands, at its current value; *Provided, however,* they shall not dispose of the same at a greater discount than fifty per cent."

The question was then taken on the passage of the bill, as amended, and decided in the affirmative.

Ordered, That the title be as aforesaid and that the Secretary inform the House thereof.

A resolution from the House of Representatives authorizing the Governor to procure the surrender of the lease of S. M. Tinsley & Co., on the Northern Cross Railroad, between Springfield and Meredosia, coming up for consideration,

On motion of Mr. Dougherty,

The resolution was amended by adding the following proviso:

"Provided, that the Governor shall not promise to pay, or pay them any thing for the lease," also by striking out the words *"and requested."*

The question was then taken on the adoption of the resolution, as amended, and decided in the affirmative.

Mr. Baker, from the select committee to which was referred a bill for "An act authorizing the erection of a bridge over the Sangamon river," reported the same back, with an amendment; which was concurred in.

On motion of Mr. Baker,

Said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House thereof.

On motion of Mr. Markley,

The resolution recommending to the electors of this State to vote for or against a convention, at the next general election for members of the General Assembly of this State, was taken up for consideration.

The question was taken on the adoption of said resolution, and decided in the negative; two-thirds not voting for it.

Those who voted in the affirmative, are,

Messrs. Buford, Catlin, Cavarly, Dougherty, Evans, Feaman, Henry, Hoard, Leviston, Markley, Matteson, Minard, Ralston, Ruggles, Smith, Stapp, Thompson, Vandeventer, Warren, Willbanks, and Wynne—22.

Those who voted in the negative, are,

Messrs. Baker, Barnett, Crain, Cullom, Davis, Harris, Harrison, Johnson, Killpatrick, McMurtry, Nunnally, Parker, Parrish, and Ryan—15.

On motion of Mr. Davidson,

"Resolved by the Senate and House of Representatives, That the Speakers of each House adjourn the same sine die, on Monday the 6th inst., at 9 o'clock, A. M.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act for a State road from Frederickville, in Schuyler county, to Macomb, in McDonough county," was read a second time, and

Ordered to a third reading.

On motion,

The rule of the Senate was dispensed with, and the bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Barnett,

The rule of the Senate was dispensed with, and a bill for "An act to divorce Andrew and Susan McMillan," was taken up, read a first time, and

Ordered to a second reading.

On motion, the rule of the Senate was dispensed with, and the bill read a second time by its title.

Mr. Dougherty moved to amend the bill by striking out the preamble.

On motion of Mr. Baker,

The bill and proposed amendment were indefinitely postponed.

A message from the Governor, by Mr. Trumbull, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate the following communication:

EXECUTIVE DEPARTMENT.
Springfield, March 4, 1843.

To the Honorable the Senate:

On account of the meeting of the two Houses at an earlier hour this afternoon than was contemplated, and the hurry of business, I omitted to produce the half million of indebtedness of the State, received from the Bank of Illinois, at the hour appointed, and will therefore produce the same, to be destroyed this evening at 6 o'clock.

I have the honor to be, &c.

THOMAS FORD.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House to inform the Senate, that they have concurred in the Senate's amendments to a bill for "An act for the formation of the county of Benton, and for other purposes."

A bill for "An act to authorize and direct the Secretary of State to receive and preserve geological specimens, and for other purposes," was read a second time, and

Ordered to a third reading.

On motion,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The resolution reported by the select committee to which was referred a petition in relation to Thomas Pulliam, authorizing the Auditor of Public Accounts to receive from Thomas Pulliam, the amount of redemption money for all the lots situated in the town of Fayetteville, St. Clair county, &c., was taken up and adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill for "An act in relation to the specie in the Bank of Illinois at Shawneetown," was read a second time.

The question was taken on ordering said bill to a third reading, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davidson, Evans, Feenan, Harris, Harrison, Henry, Hoard, Johnson, Matteson, McMurtry, Parker, Parrish, Ruggles, Smith, Thompson, Warren, Waters, and Wynne—24.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davis, Ralston, and Vandeventer—5.

On motion of Mr. Cavarly,

The rule of the Senate was dispensed with, and the bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Dougherty,

The order of business was suspended to enable him to make a report.

Mr. Dougherty, from the select committee to which was referred a bill for "An act to extend the time for the completion of the Illinois and Rock River Railroad Company," reported the same back, with an amendment; which was concurred in.

Ordered that said bill, as amended, be read a third time.

On motion,

The rule of the Senate was dispensed with, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles:

"An act to amend an act entitled 'An act to provide for transcribing certain records therein named,' approved February 12, 1835;"

"An act to incorporate the Grand de Tour Manufacturing Company;"

"An act relating to docket fees;"

"An act to amend an act entitled 'An act to authorize the sale of the saline lands in Bond county;'"

"An act to change the time of holding courts in the fifth judicial circuit;"

"An act to authorize the levying of a tax for school purposes in township eleven north, range one east;"

"An act to authorize a settlement with Macalister & Stebbins, and further to diminish the State debt;"

"An act to incorporate the town of Winchester, in Scott county;"

"An act to prevent cities and towns from issuing warrants to circulate as money," and

"An act to authorize county commissioners to assess taxes for road purposes."

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House have concurred with the Senate in all their amendments to a bill for an act entitled "An act concerning the public revenue," approved February 26, 1839, and an act supplemental to said act, approved March 1, 1839," except that which had, as follows:

"The third section of 'An act to provide for the payment of interest on the public debt,' be and the same is hereby declared to be in full force and effect; any thing in this act, or the act to which this is an amendment, to the contrary notwithstanding."

The House have refused to order to a second reading "An act to amend 'An act making appropriations for the years 1843 and 1844.'"

They have concurred in the passage of a bill for "An act to extend the jurisdiction of the several counties bordering on the Mississippi and Washash rivers."

Bills of the following titles were severally read a third time and passed:

"An act authorizing the building of a bridge across the Sangamon river;"

"An act for leasing water power on the Illinois and Michigan canal;"

"An act concerning the navigation of Bonpas creek, in Edwards county;"

"An act for a State road from David Wrights, in Iroquois county, to Portland, in Cook county;"

"An act to amend an act entitled 'An act concerning the public revenue, approved February 26, 1839, and to legalize the assessment of property in the county of La Salle for the year 1841, and to provide a remedy where certificates of the purchase of land for taxes have been lost.'"

Ordered, That their titles be as aforesaid, and that the Secretary inform the House thereof.

A bill for "An act for the relief of John Pearson," was read a third time.

Mr. Davidson moved to amend the bill by adding the following additional section:

"Sec. The fines imposed by said John Pearson upon the attorneys of Robert C. Bristol, for alleged contempts of court, in tendering to him a bill of exceptions, and serving writs of mandamus upon said Pearson, in the case of Philips vs. Bristol, be and the same are hereby remitted."

On motion of Mr. Fithian,

The bill and proposed amendment were indefinitely postponed.

Those who voted in the affirmative, are,

Messrs. Baker, Crain, Cullom, Davidson, Evans, Feaman, Fithian, Harrison, Henry, Johnson, Killpatrick, McMurtry, Parrish, Ryan, Smith, and Stapp—16.

Those who voted in the negative, are,

Messrs. Buford, Cavarly, Davis, Dougherty, Harris, Hoard, Leviston, Matteson, Minard, Parker, Ruggles, Thompson, Vandeventer, Warren, and Wynne—15.

Bills of the following titles were severally read a second time and ordered to a third reading:

"An act in relation to clerks of circuit courts;"

"An act locate a State road from William Brown's, jr., in St. Clair county, to Nashville, in Washington county;"

"An act to incorporate the Lamoille Agricultural and Mechanical Association;"

"An act to authorize the school commissioner of Schuyler and Christian counties to dispose of any depreciated bank paper in their possession;"

"An act to incorporate academies and seminaries of learning;"

"An act to incorporate the Naperville Cemetery Association;"

"An act entitled 'An act to incorporate the Morgan Institute;'"

"An act authorizing an additional justice of the peace and constable in the Fountain Green precinct, in Hancock county," and

"An act to amend an act entitled 'An act to incorporate the town of Ottawa, and for other purposes,' approved July 21, 1837."

On motion,

The rule of the Senate was dispensed with, and said bills were read a third time by their titles and passed.

Ordered, That their titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act making an appropriation to finish part of the State House," was read a second time, and

Ordered to a third reading.

On motion,

The rule of the Senate was dispensed with, and said bill was read a third time by its title.

The question was then taken on the passage of the bill, and decided in the affirmative.

Those who voted in the affirmative, are,
Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davidson, Davis, Dougherty, Fithian, Henry, Hoard, Johnson, Killpatrick, McMurtry, Ryan, Smith, and Stapp—17.

Those who voted in the negative, are,
Messrs. Catlin, Crain, Evans, Feaman, Leviston, Markley, Matteson, Minard, Parker, Parrish, Ralston, Ruggles, Vandeventer, Warren, Willbanks, and Wynne—16.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act to exempt the property of colleges and common schools from taxation for a limited period," was read a second time, and *Ordered* to a third reading.

On motion,

The rule of the Senate was dispensed with, and said bill was read a third time by its title.

The question was then taken on the passage of the bill, and decided in the negative.

Those who voted in the affirmative, are,
Messrs. Baker, Buford, Fithian, Henry, Hoard, Johnson, Killpatrick, Matteson, Minard, Ruggles, Smith, Stapp, and Thompson—13.

Those who voted in the negative, are,
Messrs. Barnett, Catlin, Cavarly, Cullom, Davidson, Davis, Dougherty, Feaman, Harris, Harrison, Leviston, Markley, McMurtry, Parker, Parrish, Ralston, Ryan, Vandeventer, Warren, Willbanks, and Wynne—21.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: The House have concurred with the Senate in their amendments to the amendments of the House of Representatives, to Senate bill for "An act to confine justices of the peace to their respective districts."

They have also passed bills of the following titles:

"An act in relation to delinquent collectors of the revenue," and

"An act to amend an act entitled 'An act to provide for a voluntary mode of registering births and deaths,' approved March 3, 1843."

Mr. Nunnally, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision for their approval, a bill of the following title:

"An act to extend the jurisdiction of the several counties bordering on the Mississippi and Wabash rivers."

The Speaker announced a communication from the Governor on executive business; whereupon the Senate went into executive session.

Mr. Speaker laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,

Springfield, March 4, 1843.

I nominate Thompson Campbell, of Galena, to be Secretary of State.

THOMAS FORD.

On motion of Mr. Davis,

Said nomination was advised and consented to by the Senate.

Those who voted in the affirmative, are,

Messrs. Baker, Buford, Cavarly, Cullom, Davis, Harris, Harrison,

Hoard, Johnson, Leviston, Markley, Matteson, McMurtry, Minard, Parrish, Ruggles, Ryan, Thompson, Vandeventer, and Willbanks—20.

Those who voted in the negative, are,

Messrs. Barnett, Catlin, Crain, Davidson, Dougherty, Evans, Feaman, Fithian, Henry, Killpatrick, Nunnally, Parker, Ralston, Smith, Stapp, Warren, Waters, Worthington, and Wynne—19.

On motion of Mr. Davidson,

The injunction of secrecy, and the action thereon, relative to the above nomination, was removed.

On motion,

The Senate adjourned to 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of a bill for "An act to amend 'An act concerning estrays,' approved February 9th, 1835."

Bills from the House of Representatives of the following titles, were severally read a first time:

"An act for the relief of William Warnick, late collector of taxes in and for the county of Macon;"

"An act in relation to delinquent collectors of taxes of the revenue;"

"An act to amend 'An act to provide a voluntary mode of registering births and deaths,' approved March 3, 1843."

Ordered that said bills be read a second time.

On motion,

The rule was dispensed with, in reference to each of said bills, and the same read, severally, a second time by their titles, and

Ordered to a third reading.

The rule having been further dispensed with, said bills were read a third time by their titles and passed.

Ordered, That their titles be respectively as aforesaid, and that the Secretary inform the House of the passage of said bills:

On motion of Mr. Killpatrick,

The vote taken this morning, by which the Senate refused to concur with the House of Representatives in the adoption of their resolution authorizing the Treasurer to pay out specie, as therein named, was reconsidered.

Those voting in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Crain, Cullom, Davis, Feaman, Fithian, Harris, Harrison, Hoard, Johnson, Killpatrick, Leviston, Markley, Matteson, Parrish, Ryan, Smith, Thompson, Vandeventer, and Waters—23.

Those who voted in the negative, are,

Messrs. Cavarly, Henry, McMurtry, Minard, Nunnally, Stapp, Warren, and Willbanks—8.

Mr. Crain moved the resolution be amended by striking out all after the word "*Resolved*," and inserting the following:

"That the Treasurer be directed to pay out the specie now in the treasury, *pro rata*, upon all warrants already issued, or hereafter to be issued on account of the interest on the school fund for the year 1842; and that the Treasurer be also required to endorse the amount paid on the warrant at the time of payment, and the Auditor is hereby required to countersign the same, and the amount thus paid shall afterwards be deducted out of the final payment of such interest;" which was,

On motion of Mr. Davis,

Laid on the table.

Those who voted in the affirmative, are,

Messrs. Barnett, Buford, Catlin, Cavarly, Cullom, Davidson, Davis, Feaman, Harris, Harrison, Killpatrick, Markley, Parrish, Smith, Stapp, Thompson, Vandeventer, Waters, and Wynne—21.

Those who voted in the negative, are,

Messrs. Crain, Fithian, Henry, Hoard, Johnson, Leviston, McMurtry, Minard, Nunnally, Warren, and Willbanks—11.

Mr. McMurtry, moved to amend the resolution by adding to it the words "and that four dollars in warrants shall be paid for three dollars in specie."

Mr. Warren moved the previous question; which was put, and decided in the affirmative.

The question was then taken on the adoption of the amendment of Mr. McMurtry, and decided in the negative.

A message from the House of Representatives, by Mr. Ewing, their Clerk.

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House have adopted the accompanying preamble and resolutions, instructing our Senators &c. in Congress to endeavor to obtain an appropriation for making a canal round the Des Moines and Rock river rapids, on the Mississippi river.

In which they ask the concurrence of the Senate.

The question was then taken on concurring with the House of Representatives in the adoption of the resolution before the Senate for consideration, and decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Catlin, Cullom, Davis, Dougherty, Evans, Feaman, Fithian, Hoard, Killpatrick, Leviston, Markley, Parrish, Ryan, Smith, Thompson, Waters, and Wynne—20.

Those who voted in the negative, are,

Messrs. Cavarly, Crain, Harris, Harrison, Henry, Johnson, McMurtry, Minard, Nunnally, Ralston, Stapp, Vandeventer, Warren, and Willbanks—14.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage

of a bill for "An act to incorporate the Great Western Railway Company," as amended by them.

In which amendments they ask the concurrence of the Senate.

House bill for "An act to regulate the time of holding courts in the sixth judicial circuit," with an amendment made by the Senate, and an amendment to that amendment made by the House, in which the Senate refused to concur, and from which the House refused to recede, was taken up, and,

On motion of Mr. Harrison,

Laid on the table until the 4th of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

House bill for "An act to provide for the completion of the Northern Cross Railroad," was read a first time, and

Ordered to a second reading.

On motion,

The rule was dispensed with, and the bill was read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Davidson,

Referred to a select committee.

Ordered, That Messrs. Fithian, Hoard, and Vandeventer be that committee.

Mr. Hoard, from the committee on Internal Improvements, to which was referred Senate bill for "An act providing for the adjustment of the claims of certain persons for work done in improving the Kaskaskia river," reported the same back, with an amendment; which was concurred in, and the bill, as amended,

Ordered to be engrossed for a third reading.

On motion,

The rule was dispensed with, and said bill read a third time by its title, and passed, as amended.

On motion of Mr. Hoard,

The title of said bill was amended by striking it out, and making it read "An act to pay out certain funds from the State Treasury."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Ewing, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred in the Senate's amendments to the bill for "An act to provide for the regulation of the penitentiary."

They have concurred with the Senate in the passage of Senate bill for "An act authorizing the erection of a bridge over the Sangamon river," as amended by them.

In which amendment they ask the concurrence of the Senate.

Mr. Davidson presented the petition of citizens of White county, praying the repeal of the property or valuation law, passed at this session of the General Assembly; which was, without reading, laid on the table.

Mr. Crain offered for adopted the following:

Resolved, That the Senate has entire confidence in the ability and integrity of Lyman Trumbull, Esq., late Secretary of State, and that he has performed the duties of his office with proper zeal, punctuality, and fidelity.

Mr. Crain moved that the rule requiring resolutions to lie one day on the table be suspended; and three-fourths of the Senate not voting therefor, the motion to suspend was not agreed to.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have receded from their vote of non-concurrence in the Senate's amendment to the bill for "An act to amend an act entitled 'An act concerning the public revenue, approved February 26, 1839, and an act supplementary to said act, approved March 1st, 1839,' proposing three dollars as the minimum price at which land shall be taxed per acre.

They have also concurred with the Senate in its amendment to a bill for "An act supplemental to an act entitled 'An act to permanently locate the seat of justice of Woodford county.' "

They have also concurred in the adoption of a resolution proposing that the Speakers adjourn the two houses, *sine die*, at 9 o'clock, Monday morning next.

Mr. Hoard, from the select committee to which was referred a bill from the House for "An act to provide for the completion of the Northern Cross Railroad," reported the same back, without amendment, and recommended its passage.

On the question—"Shall said bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Baker, Barnett, Buford, Cavarly, Cullom, Davidson, Dougherty, Fithian, Harrison, Henry, Hoard, Johnson, Killpatrick, McMurtry, Ryan, Stapp, Thompson, and Worthington—18.

Those who voted in the negative, are,

Messrs. Catlin, Crain, Davis, Evans, Feaman, Harris, Leviston, Markley, Matteson, Nunnally, Parker, Ralston, and Warren—13.

Ordered, That the title of said bill be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have refused to concur with the Senate in the passage of a bill for "An act to re-locate a part of the St. Louis road."

They have concurred in the Senate's amendment to a bill for "An act to extend the time for the completion of the Illinois and Rock River Railroad."

Senate bills of the following titles, with amendments made thereto by the House of Representatives, were taken up:

"An act to authorize the erection of a bridge over the Sangamon river," and

"An act to incorporate the Great Western Railway Company."

In which amendments to the latter bill the Senate refused to concur, in those to the former, the Senate concurred.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Nunnally offered for adoption the following:

Resolved, That the thanks of this Senate be presented to the Hon. John Moore, Lieutenant Governor of the State of Illinois and Speaker of the Senate, for the able, faithful, and impartial manner in which he has discharged the responsible and arduous duties which have devolved upon him during the present session of the Legislature.

On motion,

The rule was dispensed with, and the resolution unanimously adopted.

Mr. Hoard offered for adoption the following:

Resolved, That the thanks of this body be respectfully tendered to the resident clergy of the city of Springfield, for their courteous compliance with a resolution of the Senate, by opening their daily session with an invocation to the Ruler of the Universe, for His blessing upon their deliberations.

On motion,

The rule was dispensed with, and the resolution agreed to.

The preamble and resolutions from the House of Representatives, instructing our Senators &c. in the Congress of the United States, to use their efforts to obtain an appropriation by that body, to aid in the construction of a canal around the Des Moines rapids of the Mississippi; was concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

MONDAY, MARCH 6, 1843.

Senate met pursuant to adjournment.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision, a bill for "An act to incorporate the Galena Manufacturing Company;"

"An act to amend 'An act concerning estrays,' approved February 9, 1835."

Mr. Stapp, from the select committee to which was referred a bill for "An act authorizing an additional justice of the peace and constable in Middletown precinct, in McDonough county," reported the same back, without amendment.

On motion of Mr. Harris,

Said bill was laid on the table.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate, that they have approved bills of the following titles, to wit:

"An act to extend the jurisdiction of the several counties bordering on the Mississippi and Wabash river;"

"An act authorizing the erection of a bridge across the Sangamon river;"

"An act to locate a State road from St. Charles, in Kane county, to Rockford, in Winnebago county."

Mr. Henry presented the report of the president and directors of the Illinois Asylum, for the education of the deaf and dumb; which was read, and

On motion of Mr. Henry,

Laid on the table.

Mr. Crain moved to dispense with the order of business, and take up a bill for "An act to repeal certain sections of an act entitled an act, approved December 16, 1840, incorporating the city of Nauvoo, in the county of Hancock;" which was not agreed to.

On motion of Mr. Markley,

The vote taken on the passage of a bill for "An act concerning the public revenue, and for other purposes," was re-considered.

The question was then taken on the passage of said bill, and decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House have adopted the following resolution; in which they ask the concurrence of the Senate.

Resolved by the House of Representatives, the Senate concurring herein, That the joint resolution requiring the Speakers of the two Houses to adjourn their respective Houses at 9 o'clock this day, be suspended three hours, and that the Speakers adjourn their respective Houses at 12 o'clock, M., this day.

On motion,

The resolution contained in the foregoing message was taken up and adopted.

Ordered, That the Secretary inform the House thereof.

On motion of Mr. Davidson,

The Senate took a recess of one hour.

TEN O'CLOCK, A. M.

Senate resumed its session.

A message from the House of Representatives, by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House has adopted the following resolution, to wit:

Resolved by the House of Representatives, the Senate concurring herein, That our Senators and Representatives in the Congress of the United States be requested to introduce a bill for an act of Congress, appropriating the alternate sections of lands for six miles wide on both sides of the Alton and Mount Carmel, and the Alton and Shawneetown railroads, to be expressly used in and for the completion of said roads, and when the said alternate sections, or any of them, shall have been sold, the Governor of the State shall be authorized to make selections of other lands in lieu hereof.

On motion of Mr. Leviston,

The foregoing resolution was taken up and concurred in:

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Crain, from the committee on Enrolled Bills, reported, as correctly enrolled and laid before the Council of Revision, a bill for "An act to incorporate the Great Western Railway Company."

A message from the House of Representatives by Mr. Taylor, their Assistant Clerk:

Mr. Speaker: I am directed by the House to inform the Senate that they have receded from their amendments to the House bill for "An act to incorporate the Great Western Railway Company."

In which the Senate refused to concur with the House.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved bills of the following titles, to wit:

"An act to amend 'An act concerning estrays,' approved February 9, 1835;"

"An act declaring a certain road therein named a State road, and for locating State road from the east side of Mercer county to the town of Millersburg, in said county;"

"An act for the relief of William Manning, the collector of Shelby county;"

"An act in relation to the Cumberland road;"

"An act to authorize John W. Smith, Benjamin B. Brown, Abijah Smith, and Charles McClure to build a dam across Fox river;"

"An act in relation to the Supreme Court;"

"An act in relation to State bonds, and other evidences of State indebtedness;"

"An act to authorize the building of a mill-dam across the Little Wash river, in White county."

I am also directed to inform the Senate that they have rejected "An act making appropriations for the years eighteen hundred and forty-three and eighteen hundred and forty-four," and have ordered the same to be returned to the House of Representatives, in which it originated, with the following objections.

Mr. Parker moved to suspend the order of business, and take up a bill for "An act to establish and maintain common schools;" which was not agreed to.

A message from the Council of Revision, by Mr. Kelly, their Secretary:

Mr. Speaker: I am directed by the Council of Revision to inform the Senate that they have approved "An act to incorporate the Great Western Railway Company."

In compliance with the resolution of the two Houses, the Speaker, after having addressed the Senate as follows, pronounced the Senate adjourned, *sine die*.

SENATORS: You are about to close the labors of your session, and before we separate, I feel that my duty to the Senate requires me to make at least a brief expression of my feelings.

Your session has been long and laborious; your duties have been performed with diligence and fidelity, constant in the discharge of the impor-

tant trust committed to your care; your whole time has been faithfully devoted to the public service; and I may venture to assert, that at no session of the Legislature since the formation of our State government has so much business been performed. Measures of great importance, too, have been adopted, and such as we all ardently desire may result to the best interests of the entire State; whether they will fully accomplished the great and desirable objects for which they were intended, cannot at present be satisfactorily determined, yet I entertain no doubt but the people of the Wabash counties on the east, the Ohio on the south, the Mississippi on the west, the Lake on the north, as well as those of the interior will ultimately be benefitted by your legislative labors.

Political controversy has been but seldom indulged in during the session; the legitimate business of legislation has been rarely interrupted by mere declamation.

So far as I am concerned, as your presiding officer, although differing in political opinions with many of you, I have received throughout the session kindness and courtesy from all, and can truly declare, that no expression or act of yours has left any rankling in my bosom, but on the contrary, you will each of you return to your constituents, your families, and friends with my best wishes for your continued prosperity and happiness.

In commencing the labors of the session, I had serious doubts that a want of experience might occasionally lead me astray, I have, however, endeavored to discharge my duty faithfully, and if have succeeded with as much satisfaction to the Senate as they so recently have unanimously expressed, I have attained to the highest and proudest desires of my heart.

ISAAC S. BERRY,

Secretary of the Senate.

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